

175TH ANNIVERSARY 1821-1996

THE PRESIDENT

TO: Professor John Boswell
FROM: Stephen J. Trachtenberg
SUBJECT: Faculty Senate Resolutions/1995-96
DATE: May 30, 1996

John: I attach the response to the Resolutions adopted by the Senate in the 1995-96 session.

SJT/hdi
Attachment

mailed to Ex Com 6/5/96

Administration Response to Resolutions from the Faculty Senate

1995-96 Term

Resolution 95/1: *A Resolution to Amend the Faculty Code to Delete the Provisions Relating to Retirement Because of Age*

Response: **Approved**

Resolution 95/2: *A Resolution to Amend the Faculty Code with respect to Leave*

Response: **Approved**

Resolution 95/3: *A Resolution on Parking Rates*

Response: **Concur**

Resolution 95/4: *A Resolution to Amend the Faculty Organization Plan with Regard to the Composition of the Faculty Senate*

Response: **Approved**

Resolution 95/5: *A Resolution to Establish a Special Joint Faculty-Administration-Trustees Committee to Formulate an All-Encompassing University-wide Policy on Conflict of Interest*

Response: **Please note an expression of concern by the Trustees at their May 17 meeting at the pace of deliberation. The Trustees urged expedited action.**

Resolution 95/6: *A Resolution to Amend the Faculty Code to Require Establishment and Publication of Procedures for Reappointment*

Response: **Approved in principle, subject to concurrence regarding a model for implementation**

Resolution 95/7: *A Resolution on the Role of Faculty in the Accreditation of Academic Programs*

Response: **Noted**

Resolution 95/8: *A Resolution of the Faculty Senate Regarding Proposed Revisions to the Code of Student Conduct*

Response: **Approved as amended at 5/10/96 meeting**

Resolution 95/9: *A Resolution on The Policy on Patents and Scholarly Works*

Response: **Approved**

Resolution 95/10: *A Resolution on the Role of the Faculty in the Addition, Revision,
or Elimination of Curricular Offerings*

Response: **Noted**

Resolution 95/11: *A Resolution of Appreciation (Pelzman)*

Response: **Concur**

RESOLUTIONS 1995-96 SESSION

Resolution No.	Meeting	Title of Resolution	Action	Remarks and/or Committee Referral
95/1	5/4/95	A Resolution to Amend the <u>Faculty Code</u> to Delete the Provisions Relating to Retirement Because of Age	Adopted, as amended, 5/4/95	Approved by the Board of Trustees 10/27/95
95/2	5/4/95	A Resolution to Amend the <u>Faculty Code</u> with respect to Leave	Adopted 5/4/95	Returned to ASPP Committee
95/3	9/15/95	A Resolution on Parking Rates	Defeated 9/15/95	
95/4	12/8/95	A Resolution to Amend the <u>Faculty Organization Plan</u> with Regard to the Composition of the Faculty Senate	Adopted 12/8/95	Approved by the Board of Trustees 2/8/96
95/5	1/19/96	A Resolution to Establish a Special Joint Faculty-Administration-Trustees Committee to Formulate an All-Encompassing University-wide Policy on Conflict of Interest	Adopted 1/19/96	
95/6	1/19/96	A Resolution to Amend the <u>Faculty Code</u> to Require Establishment and Publication of Procedures for Reappointment	Adopted 1/19/96	
95/7	3/8/96	A Resolution on the Role of Faculty in the Accreditation of Academic Programs	Adopted 3/8/96	
95/8	3/8/96	A Resolution of the Faculty Senate Regarding Proposed Revisions to the Code of Student Conduct	Referred, 3/8/96 Adopted, as revised 4/12/96	Referred back to Joint Committee of Faculty and Students for further review and to be brought back to Senate in April, 1996

(cont'd)

RESOLUTIONS 1995-96 SESSION

Resolution No.	Meeting	Title of Resolution	Action	Remarks and/or Committee Referral
95/9	4/12/96	A Resolution on The Policy on Patents and Scholarly Works	Adopted, 4/12/96	
95/10	4/12/96	A Resolution on the Role of the Faculty in the Addition, Revision, or Elimination of Curricular Offerings	Adopted, as amended, 4/12/96	
95/11	4/12/96	A Resolution of Appreciation (Pelzman)	Adopted by acclamation 4/12/96	

[Any inquiries about this resolution should be directed to Professor Walter K. Kahn, Chair, Committee on Professional Ethics and Academic Freedom, Ext. 47186]

A RESOLUTION TO AMEND THE FACULTY CODE TO DELETE THE PROVISIONS RELATING TO RETIREMENT BECAUSE OF AGE (Res. 95/1)

WHEREAS, the Age Discrimination in Employment Act, as amended, has made unlawful mandatory retirement because of reaching any specified age; and

WHEREAS, the Faculty Code has not been amended to meet the requirements of this statute; NOW THEREFORE

BE IT RESOLVED THAT THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY RECOMMENDS:

(1) That the Faculty Code, Section ^{VII.}~~IV.~~ A, be amended to read as follows (deletion shown by lineout of body of first paragraph):

VII. Retirement

~~A. The normal retirement date at the university is the end of the fiscal year in which a faculty member reaches the age of 65. Faculty may continue in full-time service until the mandatory retirement date at the end of the fiscal year in which age 70 is attained. The fiscal year shall be taken as the period beginning July 1 and ending June 30.~~

A. Subject to the needs of the University,...[remainder unchanged]
and

(2) That the Faculty Code, Section VII.D, be amended to read as follows: (deletions shown by lineout, added text shown underlined)

VII. Retirement

D. Subject to programmatic needs, full-time tenured members of the faculty with ten years of continuous full-time service who are ~~between the ages of 60 and 70~~ above 60 years of age may elect to continue for a mutually agreed period on a half-time or two-thirds time regular, active status basis ~~to the mandatory retirement age.~~ Benefits and conditions of this reduced service will be as specified in the Faculty Handbook at the time the election to retire partially is made.

Professional Ethics and Academic Freedom Committee
March 15, 1995

Adopted, as amended, May 4, 1995

[Any inquiries about this resolution should be directed to Professor William B. Griffith, Chair, Committee on Appointment, Salary and Promotion Policies, Ext. 46265]

A Resolution to Amend the Faculty Code with respect to Leave (95/2)

WHEREAS, under certain circumstances a member of the faculty may have legitimate reasons to request a less-than-full-time leave for medical, family, or other important personal reasons; and

WHEREAS, it may well be in the University's interest to grant a partial leave request, to retain as much as possible of the services of such a faculty member and thereby reduce compensatory shifting of responsibilities; and

WHEREAS, the Faculty Code is currently silent as to whether such a partial leave is permissible, and as to whether if granted such a period of partial leave would qualify (as a full personal leave does) for some extension of the probationary period for a tenure-accruing appointment; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

1. That Sec. VI. A of the Faculty Code, "Leave", be amended to read [added language underlined in the text]:

"A. At any time, for study or for any other valid reason, a leave of absence without salary, or a partial leave with or without reduced salary, may be granted to a member of the faculty by the appropriate corporate officer."

2. Sec. IV.A. 3.1. (b) (3), "Appointment and Tenure", be amended to read [additional language underlined in the text]:

"3) Leaves for study towards a degree, leaves for military or personal reasons, and defense leave shall not be included in this period. Under certain circumstances a partial leave may justify an appropriate extension of the probationary period.

3. The Faculty Senate Committee on Appointments, Salary and Promotion Policy is requested to draw up appropriate implementing criteria and procedures for approval by the Vice President for Academic Affairs and publication in the Faculty Handbook.

Appointments, Salary, and Promotion Policies Committee
April 17, 1995

Adopted May 4, 1995

FACULTY SENATE
Committee on Appointments, Salary, Promotion Policies (ASPP)

SPECIAL REPORT

April 19, 1995

1. This Special Report accompanies and is intended to explain some of the background of our proposed RESOLUTION TO AMEND THE FACULTY CODE WITH RESPECT TO LEAVE (95/2), submitted for consideration by the Faculty Senate.
2. This issue originally arose to prominence in April 1993, when the Vice President for Academic Affairs asked the Executive Committee of the Faculty Senate for advice in dealing with a faculty member's request for partial leave coupled with an extension of the tenure-probationary period. The request noted that such a partial leave and extension were potentially available under a "Family Care Leave" policy in effect at Georgetown University. The Executive Committee offered its opinion that an extension of the tenure-probation period would not be permitted under the existing provisions of the Faculty Code but offered to study the desirability of adopting such a policy. Vice President French subsequently denied the individual's request but asked the Senate to proceed with consideration of "whether the Georgetown policy or some modification of it would constitute a model that ought to be adopted at GW" [Memorandum dated May 3, 1993, to Lilien Robinson, Chair, Executive Committee of the Faculty Senate].
3. Over the past two years, the ASPP Committee has gathered information on existing policies elsewhere and a consensus has emerged as to the desirability of developing such a policy, on grounds of basic fairness, especially to women faculty in childbearing years and others with similarly serious disruptive time-demands. The Committee has even articulated a possible formula for converting partial leaves of absence into proportional delays in tenure review. While it has been suggested that the University may be legally required to offer policies along these lines, the scope of the entitlements created by the federal Family Care and Medical Leave Act of 1993 and the D.C. Family Care and Medical Leave Act of 1990 remains unclear, with regulations having only recently been issued and much in these laws still untested in the courts.
4. The Committee therefore decided the best approach at this time would be to create authorizing language in the Faculty Code, as suggested in the accompanying Resolution. This would make known to all in timely fashion the possibility of negotiating partial leave, and where appropriate extending the tenure clock, but would leave detailed guidelines and processes to be developed by the ASPP Committee in conjunction with Academic Affairs and University Counsel. These would then be published in the Faculty Handbook and could be revised and updated as need be, without amending the Faculty Code.

A RESOLUTION ON PARKING RATES (95/3)

WHEREAS, The George Washington University is a non-profit institution, wherein provision of faculty and staff parking by the University is viewed as a necessary condition of employment; and

WHEREAS, a substantial portion of faculty and staff are dependent upon automobile transportation for the daily commute to and from work; and

WHEREAS, the rationale for imposition of a parking fee is to reimburse the University for the associated costs of providing parking facilities, the University Administration nevertheless refuses to make available a clear and reasonably detailed accounting of associated income and expenses in justification of the current parking rate structure; and

WHEREAS, data gathered from comparable institutions and from reasonable estimates based on usage, lead to the conclusion that the parking fees charged to full-time employees and students of this University appear to be inordinately high, and furthermore that inordinately high parking fees discourage faculty, especially those who use occasional parking, from coming in to the campus on non-teaching days to the detriment of the academic environment; **NOW THEREFORE**

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the parking rates charged to the full-time and part-time employees of this University be reduced by thirty-five percent, and that the rate charged to students be reduced by forty percent, in order to be comparable to the parking rates at academic institutions in close proximity to GW.

Defeated September 15, 1995

Senate Committee on Administrative Matters As They Affect The Faculty.
April 28, 1995

**A REPORT ON THE PARKING RATES
CHARGED TO EMPLOYEES AND STUDENTS
AT GEORGE WASHINGTON UNIVERSITY**

**Senate Committee on Administrative Matters
As They Affect The Faculty.**

Professor John Eftis, Chair

April 1995

INFORMATION IN SUPPORT OF A RESOLUTION ON PARKING.

I. INTRODUCTORY BACKGROUND

From the time of its inception in 1821 and on through to the year 1967, this University did not charge its employees to park or otherwise leave its vehicles on its premises, whether the vehicle be horse, buggy, carriage or automobile. The provision of parking space without charge over these one-hundred-forty-six years was considered to be the responsibility of the University acting as the employer, just as it was, and still is, the University's responsibility as employer to provide office space for its employees without charge.

The year 1968 marked a change in the University Administration's view as to which party, the employer or the employee, should assume the financial responsibility associated with the provision and maintenance of University-owned parking space. This change appears to have been triggered by the critical need for additional parking capacity, made necessary by the parking needs of a growing University work force, requiring the construction of a multi-level parking garage. Maintaining the rationale that it would be reasonable to expect University employees to assume some share of the financial obligation involved in construction of the garage, a \$5/month (\$60/yr.) parking fee was introduced by the Administration for all full-time employees wishing to utilize the existing parking facilities to help pay for the garage, or so we were lead to believe. The multi-level parking facility was constructed and operational by 1974 (or thereabouts). It has been in operation for twenty years, and it is entirely possible that by now (1995) the cost involved in the construction of the garage has been entirely covered.

In the meantime the imposition of the parking fee, ostensibly to help pay off the University parking garage, appears to have acquired a new life of its own, beyond its original intention, since it has now become a permanent fixture. Moreover, bowing to the dictates of inflation, it has become reasonable to expect that the initial fee should be increased routinely each year, and so it has, rising from the original charge at \$60/yr in 1968 to the current level of \$1,200/yr in 1994. Incidentally, by this process the university Administration has transformed its earlier role as a provider of parking space without charge, to one that rents the spaces that the University owns, albeit to a very special clientele, namely its employees.

A Resolution on Parking (90/14), prepared by the Senate Committee on Appointments, Salary and Promotion Policies including Fringe Benefits, was presented to the Faculty Senate on April 12, 1992, (refer to Attachment No. 1). The resolving clause of the resolution asked the Senate to adopt the following:

That parking fees be frozen at the October 1, 1990, level for a period of three years and that the administration conduct a review during the third year, in consultation with the Committee on Appointment, Salary and Promotion Policies, including Fringe Benefits; in the event that the decision is made to increase fees at that time, such an increase should not exceed the percentage of faculty salary

increases for that year.

The Senate voted to refer the resolution to the Fiscal Planning and Budgeting Committee for further study. However, it seems there to have died a quiet death, since nothing further has been heard from this Committee concerning Resolution 90/14. There has been no further Faculty Senate action concerning this issue since that time.

II. COMPARATIVE PARKING RATES

Metropolitan Area Universities (1994)

Institution	Employee Category	Parking Facility	Monthly Rate	Annual Rate
American University	Full-time faculty and Staff	Campus garage & restricted lots	28.75	345
		Unrestricted lots	16.67	200
Catholic University	Full-time faculty and Staff	Campus garage	21.67	260
		Unrestricted lots	17.50	210
Georgetown University	<u>Main Campus</u> Full-time faculty and Staff	Campus garage & lots	61.00	732
	<u>Law Center</u> Staff	Garage	52.00	624
	Faculty	Garage	73.00	876
	<u>Medical Center</u> Faculty and Staff	Garage & lots	79.00	948
George Washington University	Full-time faculty and Staff	Campus garage & lots	100.00	1,200
Howard University	Full-time faculty and Staff	Campus lots	20.00	240
University of Maryland (College Park)	Full-time faculty and Staff	Campus lots	9.08	109
George Mason University (Arlington & Fairfax)	Full-time faculty and Staff	Campus lots	8.33	100

Nearby Non-Academic Institutions (1994)

		Comments
US State Department All employees	(23rd & C Sts., NW) Garage & lot parking* Monthly rate No charge-nominal charge†	*Employees must apply for parking permits which are issued based on a formula that considers rank, years of service and distance of daily commute. †To pay the wages of parking attendants.
International Monetary Fund All employees	(19th St. one block from Pennsylvania Ave., NW) Monthly rate 84-89	Parking in nearby garages operated by commercial vendors
Organization of American States Employee grade level A-D G-E K-H L M-N P-Q	(17th St. & Constitution Ave., NW) Monthly rate 29.00 32.50 37.00 46.00 52.00 63.50	Parking in garage and lots owned by OHS, and in nearby garages operated by commercial vendors.
World Bank Employee grade level 11-18 19-25 26-28 29-30	(19th St. & Penn. Ave., NW) Monthly rate Garage* Garage† 93 74 102 81 111 88 120 NA	*World Bank garage located in their building †Nearby garages along 20th St. NW, operated by commercial vendors

Student Parking Rates For The Metropolitan Area Universities
(1994-1995)

Institution	Student Category	Parking Facility	Monthly Rate (dollars)	Yearly Rate (9 Mon. Academic Year)
American University	Resident	Parking lots	35.40	425
	Commuter		16.67	200
Catholic University	Resident	Garage & parking lots	23.17	278
			19.00	228
	Commuter	Garage & parking lots	21.67	260
			17.50	210
Georgetown University	<u>Main Campus</u> Resident	Parking lots	88.89	800
	<u>Law Center</u> 600 New Jersey Ave., NW	Garage	71.50 (parking pass @ 3.25 /day)	644
George Washington University	Resident (non-medical)	Garage	145.00	1,305
Howard University	Resident and commuter	Parking lots	10.00	90

III. ESTIMATES OF ANNUAL PARKING REVENUES

The Committee has requested from the Office of Vice President and Treasurer (OVPT) reasonably detailed information showing the daily/monthly parking revenues, and the expenses associated with the operation and maintenance of the University parking facilities. This information has been refused on the grounds that the Administration does not believe it to be wise to make such data public in that it could possibly cause complications with the District of Columbia Government were they to gain access to it.

The only information provided to the Committee by request from the OVPT shows gross annual parking revenues for 1993 and 1994, together with a spot survey of local commercial parking rates (refer to Attachments 2 and 2a). The total expense associated with the parking operation for the same two years was also provided (refer to Attachments 3 and 3a). According to these figures for the last two years, the parking program has been operating at annual deficits of \$292,000 and \$191,000, (in round figures) respectively. In view of the comparatively high (if not the highest) rates charged by the Administration for parking, these reported deficits are surprising.

In meetings with members of the Administration the Committee has been informed of several relevant facts that provide additional background information. The total number of full-time employees at GWU is approximately 10,000, while the number of students is approximately 16,000. The number of parking spaces available to the University is allocated by the D.C. Government. Currently, a maximum of 3,000 spaces are allocated, with 2,845 parking spaces actually available. Approximately 7,000 cars are parked for various periods of time each work day. The D.C. Government imposes a 12 percent tax on all parking charges. According to the OVPT the annual rate of increase of parking rates has been maintained at approximately 4 percent, in keeping with the rise of the consumer price index.

The administration reports annual parking revenues to be around \$3,500,000 for the past two years. Based on the information cited above and the schedule of parking fees in effect for 1993 and 1994 (refer to Attachments 4 and 4a) it is possible to roughly estimate the annual parking income (and thus corroborate the above figure). While such estimates are not exactly correct, neither can they be too far in error. The parking rates charged for full-time employees, part-time employees, resident students, medical students, commuter students, visitors, etc., vary. Based on an approximate estimate of the number of work days per year for faculty and staff, and on the number of student days per year, coupled with an average of the daily rates for the different user categories (1994 rates), the averaged charge for a daily parking transaction is about \$5.00. Assuming that faculty and staff average 44 work weeks per year and that students average 36 work weeks per year, the annual parking income can be estimated to be:

$$7,000 \text{ parks/day} \times \$5.00/\text{park} \times 5 \text{ day/week} \times 40 \text{ weeks/year} = \$7,000,000/\text{year}$$

An approximate estimate of the annual parking revenue generated by the parking facilities

can be calculated in another manner. With 10,000 full-time employees and 16,000 students, assuming that fifty percent of the full-time employees come to work using their automobiles and that ten percent of the student population buy monthly parking permits, then the combined usage will total 6,600 parking transactions for each work day. Part time use of the parking facilities by part-time employees and by visitors could conceivably bring the total daily usage to the 7,000 daily transactions mentioned previously. With monthly rates at \$100 for full-time employees and \$145 for students (omitting the contributions for the other category of users), we have for the nine month academic year,

$$\begin{aligned} 10,000 \text{ empl.} \times 0.50 \times \$100/\text{mo} \times 9 \text{ mo/yr} &= \$4,500,000 \\ 16,000 \text{ stu.} \times 0.10 \times \$145/\text{mo} \times 9 \text{ mo/yr} &= \$2,088,000 \end{aligned}$$

To account for the three summer months, assuming two-thirds fewer users than during the academic year,

$$\begin{aligned} 10,000 \text{ empl.} \times 0.50 \times 0.33 \times \$100/\text{mo} \times 3 \text{ mo/yr} &= \$500,000 \\ 16,000 \text{ stu.} \times 0.10 \times 0.33 \times \$145/\text{mo} \times 3 \text{ mo/yr} &= \$232,000 \end{aligned}$$

Adding these contributions gives an annual revenue of \$7,325,000.

By these estimates the annual revenue to the University derived from the parking facilities appears to be of the order of \$7,000,000, just about twice the level reported by the OVPT.

On the expense side the OVPT indicates that the annual payroll to operate the parking facilities for 1994 was \$1,521,571 (refer to Attachment 3a). According to the manager of the parking office there currently are twenty-six full time employees who work for the office. Using \$35,000 as the average annual salary for each employee and adding twenty percent for employer paid benefits, bring the average to \$42,000/yr, then the annual payroll for the parking staff would appear to be about \$1,092,000, considerably less than the indicated \$1,521,571. There may be other payroll costs not accounted for such as the time spent by campus police in patrolling the parking facilities. However using an average yearly salary of \$42,000 for each parking office employee is probably on the high side.

IV. CONCLUSIONS

1. The rate for full-time parking charged to the full-time employees of George Washington University is considerably more than the rates charged to the full-time employees of the metropolitan area universities, and of four large nearby non-academic institutions.
2. The monthly parking rate charged to our students purchasing monthly parking permits is higher than the monthly rate paid by the Vice-Presidents and Faculty of this University, and by the highest levels of personnel employed at the Organization of American States, the US State Department, the World Bank and the International Monetary Fund.

3. The central reason put forth by the OVPT in rationalizing the high parking rates charged by this University is — "the very high cost of real estate and construction in this area of the city". However the U.S. State Dept., the International Monetary Fund, the Organization of American States and the World Bank, which charge lower rates, are all located in the same area. Moreover, the university closest to us, located in an area of comparably high real estate values, namely Georgetown University, at its main campus charges its full-time faculty and staff and its resident students at a rate that is sixty-one percent of the rate charged at this University. The parking rates charged to the full-time employees and students at GWU appear not only to be high, but to be inordinately high.
4. The annual parking revenue reported by the OVPT appears to be understated, while the annual parking staff payroll appears to be overstated.

Attachment No. 1

A RESOLUTION ON PARKING (90/14)

WHEREAS, The George Washington University is a non-profit institution located in a high-cost metropolitan area, the providing of faculty/staff parking is viewed as a necessary condition of employment and parking fees should be maintained at nominal levels, and parking fees discourage faculty, especially those who use occasional parking, from coming in on non-teaching days; and

WHEREAS, a substantial portion of faculty and staff are dependent upon automobile transportation; and

WHEREAS, costs for providing parking and maintaining parking facilities have risen, the increases in parking rates for faculty/staff have exceeded annual salary percent increases; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That parking fees be frozen at the October 1, 1990, level for a period of three years and that the Administration conduct a review during the third year, in consultation with the Committee on Appointment, Salary and Promotion Policies, including Fringe Benefits; in the event that the decision is made to increase fees at that time, such an increase should not exceed the percentage of faculty salary increases for that year.

Committee on Appointment, Salary and Promotion Policies,
including Fringe Benefits
March 20, 1991

Referred April 12, 1991, to the Fiscal Planning and Budgeting Committee




Attachment No 2

OFFICE OF VICE PRESIDENT AND TREASURER

January 3, 1995

TO: John Eftis
Chair, Faculty Senate Committee for Administrative
Matters as They Affect the Faculty

FROM: Louis H. Katz
Vice President and Treasurer 

SUBJECT: University Parking

I am pleased that we had an opportunity to discuss in great detail the status of parking at GW during the December 16, 1994 meeting of the Committee for Administrative Matters as They Affect the Faculty. As requested, attached is a competitive spot survey of area commercial parking rates and a schedule of GW's current parking rates. As you will note, GW's rates fall substantially below the local competition.

In answer to your question regarding gross revenues for parking, the University Parking Services' gross revenues grew only 2.2% from fiscal year 1993 to 1994, from \$3,447,218 to \$3,524,382. Since our meeting I have spoken with Barbara Evans (Manager of Parking Services) and have discussed the on-campus carpooling initiatives. She advises me that she will be setting up an in-house ride share program in the near future.

Please feel free to contact me if you have any further questions.

cc: Jody F. Winter
Attachment

COMMERCIAL PARKING -- COMPETITIVE SPOT SURVEY

November 8, 1994

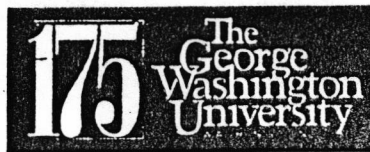
RATE STRUCTURE¹

FACILITY	HOURLY	MAXIMUM	EARLY BIRD	SATURDAY	EVENING	MONTHLY
<u>COLONIAL PARKING</u>						
2100 Pennsylvania Avenue #76	\$4.50	\$11.00	N/A	\$3.50/7.00 ²	\$3.50/7.00	\$179.14
2101 I Street #21	\$4.50	\$ 9.75	\$7.50 by 9:00am	N/A	N/A	\$178.70
2000 Pennsylvania Avenue #180	\$3.75	\$10.50	\$9.75 by 9:30am	\$2.75/5.50	\$2.75/5.50	\$177.91
1001 22nd Street #14	\$4.25	\$ 9.75	\$6.25 by 9:00am	N/A	N/A	\$178.70
			\$7.75 by 9:30am			
2000 K Street #97	\$4.50	\$10.00	\$7.00 by 8:00am	N/A	N/A	\$197.01
			\$9.50 by 9:00am			
2001 Pennsylvania Avenue #399	\$4.50	\$10.00	\$7.00 by 8:00am	N/A	\$5.00	\$200.76
			\$9.00 by 9:30am			
2021 K Street #99	\$4.00	\$ 9.00	\$6.25 by 8:30am	N/A	\$3.00/4.50	\$171.81
<u>DIPLOMAT PARKING</u>						
2141 K Street #64	\$5.50	\$10.50	\$7.50 by 9am	N/A	N/A	\$160.00
<u>METROPARK</u>						
2020 K Street	\$4.25	\$ 8.00	\$6.50 by 9:30am	N/A	\$3.00 after 6pm \$2.00 after 6pm ³	\$163.00
<u>GW PARKING SERVICES</u>						
Full Time Faculty	N/A	\$ 6.25	N/A	\$4.50	\$4.50	\$100.00
Part Time Faculty	N/A	\$ 5.25	N/A	\$4.00	\$4.00	N/A
Visitors	4.00	\$11.50	N/A	\$4.00/11.50	\$4.00/4.50	N/A
Kennedy Center Lot	N/A	\$ 5.25	N/A	N/A	N/A	N/A

¹ All quoted rates include DC Parking Tax.

² hourly/maximum rate

³ for GW students



175TH ANNIVERSARY 1821-1996

Attachment 3

13.


OFFICE OF THE VICE PRESIDENT AND TREASURER

January 24, 1995

TO: John Eftis
Chair, Faculty Senate Committee for Administrative
Matters as They Affect the Faculty

FROM: Louis H. Katz
Vice President and Treasurer

RE: University Parking



Attached is the supplemental parking information that you requested. I have included the operating expenses for the parking operation for Fiscal years 1993 and 1994.

I hope that this information will enable you to close out your review of this matter.

cc: Jody F. Winter
Enclosure

THE GEORGE WASHINGTON UNIVERSITY
PARKING OPERATING EXPENSE SUMMARY
FY 1993 and 1994

Expense Category	FY 93 Actuals	FY 94 Actuals
Payroll	\$1,534,303	\$1,521,571
Operating Expenses	\$828,034	\$581,831
Debt Service	\$1,577,152	\$1,631,604
Total Expense	\$3,739,489	\$3,715,006

c:\data\katz\parking

GMM GWU

1993-94 RATES				1994-95 RATES			
		FEE	TAX	TOTAL	FEE	TAX	TOTAL
FULL-TIME FACULTY & STAFF (annually)		1028.57	123.43	1152.00			
	(monthly)	85.71	10.29	96.00			
					89.29	10.71	100.00
FULL-TIME FACULTY & STAFF							
(before 5 pm)	(daily)	5.36	.64	6.00	5.58	0.67	6.25
(after 5 pm)	(evening)	4.02	.48	4.50	4.02	0.48	4.50
PART-TIME FACULTY							
(before 5 pm)	(daily)	4.46	.54	5.00	4.69	0.56	5.25
(after 5 pm)	(evening)	3.35	.40	3.75	3.57	0.43	4.00
COMMUTER STUDENTS							
(per period)		4.02	.48	4.50	4.02	0.48	4.50
(overtime)		2.90	.35	3.25	2.90	0.35	3.25
MOTORBIKES							
(per semester)		9.82	1.18	11.00	10.27	1.23	11.50
STUDENT MONTHLY PERMIT		123.21	14.79	138.00	129.46	15.54	145.00
JUNIOR/SENIOR MEDICAL STUDENTS							
GTA'S & GTF'S	(monthly)	62.50	7.50	70.00	66.07	7.93	74.00
	(daily)	4.02	.48	4.50	4.02	0.48	4.50
KENNEDY CENTER	(daily)	4.46	.54	5.00	4.69	0.56	5.25
WEEKENDS							
STUDENT	(no overtime fee charged)	2.90	.35	3.25	2.90	0.35	3.25
FULL-TIME FACULTY & STAFF	(before or after 5 PM)	4.02	.48	4.50	4.02	0.48	4.50
PART-TIME FACULTY	(before or after 5PM)	3.35	.40	3.75	3.57	0.43	4.00

First student period is from 6am to 5:40pm (includes a 10 minute grace period).

Second student period is from 1pm to midnight.

Overtime period begins at 5:30 pm. Overtime fee is due when parked before 1 pm and exiting after 5:30pm.

District of Columbia Parking Tax is 12%.

Attachment No. 4

GWU

VISITOR	1993-94 RATES			1994-95 RATES		
	FEE	TAX	TOTAL	FEE	TAX	TOTAL
Up to 1 hour (or fraction)	3.57	.43	4.00	3.57	.43	4.00 <i>/hr</i>
Up to 2 hours (or fraction)	7.14	.86	8.00	7.14	.86	8.00
Up to 3 hours (or fraction)	9.38	1.12	10.50	9.82	1.18	11.00
3 to 10 hours	10.27	1.23	11.50	9.82	1.18	11.00
Maximum after 5 pm or for the first hour (or fraction)	4.02 3.57	.48 .43	4.50 4.00	4.02 3.57	.48 .43	4.50 4.00

[Any inquiries about this resolution should be directed to Professor Pelzman, Chair, Executive Committee Committee of the Faculty Senate, Ext. 4-7108.]

A RESOLUTION TO AMEND THE FACULTY ORGANIZATION PLAN WITH REGARD TO THE COMPOSITION OF THE FACULTY SENATE (95/4)

WHEREAS, the Faculty Organization Plan currently allocates a single seat in the Faculty Senate and on the Senate's Executive Committee to represent the Elliott School of International Affairs; and

WHEREAS, the Faculty Organization Plan, under Article III, Section 5, subsection (a), currently establishes a three-year consecutive term limit on membership on the Senate's Executive Committee; and

WHEREAS, limiting the Elliott School of International Affairs to a single seat on the Faculty Senate and on the Senate's Executive Committee may come into conflict with the above term limit; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

(1) That Article III, Section 2, subsection (a) (3) of the Faculty Organization Plan, be amended to read:

"The faculty members of the Senate shall be elected by and from their faculties as follows: Columbian School of Art and Sciences, nine; the Graduate School of Education and Human Development, School of Engineering and Applied Sciences, School of Business and Public Management, School of Medicine and Health Sciences, and the Law School, three each; and the Elliott School of International Affairs, two."

(2) That the President, as Chair of the Faculty Assembly, is requested to call a meeting of the Faculty Assembly in January, 1996, and place on the agenda of the Faculty Assembly the proposed amendment to the Faculty Organization Plan; and

(3) That, upon approval by the Faculty Assembly, the President is requested to forward at the earliest opportunity the proposed amendment to the Faculty Organization Plan to the Board of Trustees for final approval, to become effective by February 29, 1996.

**Executive Committee of the Faculty Senate
November 17, 1995**

Adopted December 8, 1995

[Any inquiries about this resolution should be directed to Professor Pelzman, Chair, Executive Committee of the Faculty Senate, Ext. 4-7108.]

A RESOLUTION TO ESTABLISH A SPECIAL JOINT FACULTY-ADMINISTRATION-TRUSTEES COMMITTEE TO FORMULATE AN ALL-ENCOMPASSING UNIVERSITY-WIDE POLICY ON CONFLICT OF INTEREST (95/ 5)

WHEREAS, the Board of Trustees of The George Washington University at its May 12, 1995, meeting requested that the Faculty Senate and Administration draft an all-encompassing University-wide conflict of interest policy for review by the Board's Academic Affairs Committee; and

WHEREAS, the Faculty Senate has declared its commitment to work with the Administration and the Board of Trustees to develop an all-encompassing University-wide conflict of interest policy; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That a Special Joint Faculty-Administration-Trustees Committee be established, to consist of ten faculty members, including a Co-Chair, to be nominated by the Executive Committee for election by the Senate; the Administration and the Board of Trustees to appoint a Co-Chair of the Special Joint Committee and additional members; and**
- (2) That the Special Joint Committee be charged as follows:**
 - (a) to review the existing conflict of interest policies at other leading universities, including those considered GWU's "market-basket" schools; and**
 - (b) to develop an all-encompassing University-wide conflict of interest policy; and**
 - (c) to submit its report and recommendations to the Faculty Senate by December, 1996.**

**Executive Committee of the Faculty Senate
December 14, 1995 .**

Adopted by the Faculty Senate January 19, 1996

[Any inquiries about this resolution should be directed to Professor Griffith, Chair, Appointments, Salary, and Promotion Policies Committee, Ext. 4-6266, and Professor Robinson, Chair, Professional Ethics and Academic Freedom Committee, Ext. 4-7094.]

A RESOLUTION TO AMEND THE FACULTY CODE TO REQUIRE ESTABLISHMENT AND PUBLICATION OF PROCEDURES FOR REAPPOINTMENT (Res. 95/6)

WHEREAS, a recommendation for or against reappointing a faculty member constitutes a very important decision both for the University and the individual faculty member; and

WHEREAS, faculty candidates for reappointment have complained of unwritten and unclear procedures; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

1. That the Faculty Code, Sec. IV. A. 5, be amended to read (added language is underlined):

"5. CRITERIA AND PROCEDURES FOR APPOINTMENTS AND REAPPOINTMENTS

Each school, college, or comparable educational division shall establish and publish criteria on which regular active-status faculty appointments will be based. Additional criteria that may exist in the departments shall also be published. Each department or nondepartmentalized school or college shall establish and publish (a) the procedures to be followed for recruitment, assembling all relevant information, and making recommendations for appointments to the regular faculty, and, (b) the procedures to be followed in assembling information and recommending for or against reappointment to the regular faculty, whenever reappointment may be considered within the terms of an existing appointment."

2. That the Vice President for Academic Affairs assure the publication of such procedures and advise the Faculty Senate of the status of compliance with this requirement.

Committee on Appointments, Salary, and Promotion Policies
Committee on Professional Ethics and Academic Freedom
Dec. 12, 1995

Adopted by the Faculty Senate January 19, 1996

May 30, 1996, approved by President in principle, subject to concurrence regarding a model for implementation.

Appointments, Salary, Promotion Policies Committee

SPECIAL REPORT TO THE FACULTY SENATE: Dec. 12, 1995

I. Introduction

This Special Report is intended to accompany and clarify a "RESOLUTION TO AMEND THE FACULTY CODE TO REQUIRE ESTABLISHMENT AND PUBLICATION OF PROCEDURES FOR APPOINTMENT" (R 95/6). This Resolution is sponsored by both the Appointments, Salary, and Promotion Policies (ASPP) and the Professional Ethics and Academic Freedom (PEAF) Committees, to whom the Executive Committee assigned joint jurisdiction on the issue in question. This Report was prepared by the ASPP Committee on behalf of both committees.

II. Background of Resolving Clause #1

The Senate Executive Committee was prompted to send this issue to the PEAF Committee by a rising number of complaints, by both tenure-track and non-tenure-track faculty members, that consideration of their reappointments had been faulty or deficient in ways that made the judgement suspect, but also made it difficult to obtain a proper review. In a number of cases, there appeared to be at least prima facie justification of a complaint that the departmental or school consideration of a reappointment had been seriously deficient in failing to provide reasonably fair procedures, such as advance notice to the candidate of consideration, clear identification of what would be considered, a reasonable opportunity for the candidate to update his/her c.v. and/or provide copies of recent teaching evaluations or new publications, and adequate time for the voting faculty to review the new dossier.

In the absence of any published procedures, however, the complaining faculty member faced a difficult task of sustaining a grievance under the Faculty Code by showing the decision arbitrary or capricious. This left only recourse to the courts, a route sometimes taken but an expensive, stressful, divisive, and time-consuming undertaking for the individual and the department, School, and University. Moreover, in the absence of published procedures, such a case is difficult for the University to defend, and raises the likelihood that courts will impose their own standards of fair procedures which may not fit our situation as well as ones of our own devising.

In addition, it has been pointed out that such potential for vagueness or hidden biases and/or arbitrariness in procedures is thought to pose a special threat to minority and women faculty, where it would also be especially closely scrutinized by the courts (Report on the Status of Minority and Women Faculty and Librarians).

Developing recommendations respecting faculty appointments, reappointments, promotion and tenure constitutes one of the facul-

Special Report: Res. on Fac.Appts, p.2

ty's most important professional responsibilities. Since such recommendations carry presumptive weight, it is the faculty's responsibility to make sure that such decisions are arrived at with both careful attention to the needs and standards of the department, school and University, and with scrupulous fairness to all concerned. If the academic profession desires to preserve its relative autonomy in such decision-making, it must be able to defend its actions as fully responsible and meeting applicable standards of carefulness and fairness.

Hence, merely extending existing Faculty Code language that leaves to schools and departments the responsibility for specifying detailed criteria and procedures consistent with general Code requirements, the first Resolving Clause simply adds the requirement that recommending units **develop and publish the procedures** they are using and plan to use in recommending **reappointment** of regular, active status faculty, for those cases where it is appropriate to consider possible reappointment.

III. Background of Resolving Clause #2

The second resolving clause recognizes that, upon acceptance of the Resolution by the President and Board of Trustees, the Office of Academic Affairs ordinarily plays a central role in implementing the Resolution. The VPAA normally sees that schools and departments are notified of the new requirement, and sets deadlines for filing the appropriately modified bylaws in the Office of Academic Affairs.

Further, once such a Code requirement is in place, it is obviously imperative for legal reasons to make sure compliance is universal and adequate, and the second clause asks the Vice President for Academic Affairs to inform the Faculty Senate when such compliance has been achieved.

IV. Legislative History

The question as to whether or not such an amendment were needed was posed by the Senate Executive Committee to the Professional Ethics and Academic Freedom (PEAF) Committee several years ago, but only in the 1994-95 Senate term did the issue come to the top of its agenda. In that term it was agreed between the Executive Committee, the PEAF Committee and the Appointments, Salary, Promotion Policy (ASPP) Committee that consideration of such an amendment would be taken up by a joint subcommittee of the two Committees.

The first draft of this Resolution originated last year in the joint subcommittee. It was approved first by ASPP, then approved with amendments by PEAF last Spring, further amended by ASPP and again by PEAF this Fall, before receiving final approval from the ASPP Committee (on Dec. 12, 1995).

This is an important preliminary consideration. It is the responsibility of the person who is responsible for the management of the program to ensure that the program is managed in a manner that is consistent with the goals and objectives of the program. It is the responsibility of the person who is responsible for the management of the program to ensure that the program is managed in a manner that is consistent with the goals and objectives of the program.

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IV. Management of the Program

The management of the program is a complex task that requires a high degree of skill and experience. It is the responsibility of the person who is responsible for the management of the program to ensure that the program is managed in a manner that is consistent with the goals and objectives of the program.

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V. Management of the Program

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[Any inquiries about this resolution should be directed to Professor Joseph A. Tropea, Faculty Co-Chair, and Mr. Scott Mory, Student Co-Chair of the Joint Committee of Faculty and Students, Ext. 4-6345/4-7100.]

A RESOLUTION OF THE FACULTY SENATE REGARDING PROPOSED REVISIONS TO THE CODE OF STUDENT CONDUCT (95/8)

WHEREAS, there is currently a proposal for revisions to the Code of Student Conduct being put forward by the Office of the Dean of Students; and

WHEREAS, these revisions have been designed for the purpose of improving the Code of Student Conduct by addressing deficiencies arising from the subsequent passage of the Drug Free Schools and Communities Act, and the Student Rights to Know Act; and

WHEREAS, the proposed revisions will clarify several points of procedure in the hearing process by making them less legalistic, thereby further enabling hearing bodies to hold students accountable for determined destructive behavior; and

WHEREAS, the Joint Committee of Faculty and Students and Student Association have already endorsed the attached proposal for revisions to the Code of Student Conduct; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty Senate approves the proposed revisions and urges the President of the University and Board of Trustees to approve them as well.

**Joint Committee of Faculty and Students
January 26, 1996**

Referred back, March 8, 1996, by the Faculty Senate to the Joint Committee of Faculty and Students for further review and to be brought back to the Faculty Senate at its April meeting.

Adopted, as revised 4/1/96, April 12, 1996

DRAFT

PROPOSED CODE OF STUDENT CONDUCT

Submitted by: Linda Donnels, GWU Dean of Students

NOTE: Draft amended and approved by JCFS on 03/29/96

Reprinted: 04/01/96

Authority for Student Discipline

1. Ultimate authority for student discipline is vested in the Board of Trustees by the University Charter. Disciplinary authority may be delegated to University administrators, faculty members, student committees, and organizations, as set forth in the Code of Student Conduct ("Code"), or in other appropriate policies, rules, or regulations adopted by the Board. Students are asked to assume positions of responsibility in the University judicial system so that they may contribute their skills and insights to the resolution of disciplinary cases.

Rationale

2. The primary purpose for the maintenance of discipline in the University setting is to protect the campus community and to establish clearly standards for civil interaction among community members. The University's goal, through maintenance of standards set forth in the Code, is to help students experience democratic citizenship, and its attendant obligations and responsibilities.

The purpose of a disciplinary proceeding is to establish the factual record regarding an alleged violation of the Code. The procedures outlined do not attempt to recreate or approximate a court of law. Procedures shall reflect standards of fundamental fairness; however, minor deviation from procedural guidelines for hearings suggested in this Code shall not invalidate a decision or proceeding resulting from conference or hearing unless significant prejudice to the accused or the University may result, as judged by the Assistant Dean of Students.

Definitions

3. When used in this Code:

- a) "Distribution" means any form of sale, exchange, or transfer.
- b) "Group" means a number of persons who are associated with each other, but who have not complied with University requirements for registration as an organization.
- c) "Institution" and "University" mean The George Washington University and all of its undergraduate, graduate, and professional schools, divisions, and programs.
- d) "Organization" means any number of persons who have complied with University requirements for registration with the Office of Campus Activities as a student organization.
- e) "Student" means any currently enrolled person, full-time, part-time, or on continuous enrollment, pursuing undergraduate, graduate, or professional studies, whether or not in pursuit of a degree or of any form of certificate of completion.
- f) "University premises" means buildings or grounds owned or leased by the University including but not limited to buildings or grounds in which students reside and University food service facilities are located; Marvin Center facilities; and facilities operated in the name of any officially-registered student organization. This definition is not limited to buildings or grounds owned or

leased by the University at the Foggy Bottom Campus. This definition does not include buildings or grounds which are leased or sublet to any person(s) or business entities.

g) The term "University-sponsored activities" means events and activities initiated by a student, student group or organization, or University department, faculty member or employee which:

1. Are expressly authorized, aided, conducted or supervised by the University; or
2. Are funded in whole or in part by the University; or
3. Are initiated by an officially-registered student organization and conducted or promoted in the name of that student organization and/or the University; or
4. Take place on University premises.

Interpretation of Regulations

4. The purpose of publishing disciplinary regulations is to inform students of prohibited behavior. This Code is not written with the specificity of a criminal statute and any similarity between the language of any criminal statute does not mean that such language or statute or case(s) apply to the University's judicial system.

Inherent Authority

5. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Such action may include taking disciplinary action against those students whose behavior off University premises indicates that they pose a serious and substantial danger to others.

The University will not routinely invoke the disciplinary process for student misbehavior occurring off University premises. Nonetheless, it will be necessary to endeavor to protect the campus community when there are reasonable grounds to believe that a student may pose a substantial danger to others.

Although "substantial danger" may be manifested by a pending criminal charge (usually relating to a crime of violence, burglary, substantial theft or fraud, the sale of illegal drugs, or the possession of substantial quantities of illegal drugs), such a charge is not necessary for the University to invoke its inherent authority.

6. Students may be accountable both to civil authorities and to the University for acts that constitute violations of law and of this Code. Disciplinary action at the University will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced or that no criminal charges have been brought.

Interim Suspension

7. The Dean of Students or a designee may evict a student from University housing or suspend a student from the University for an interim period not to exceed 21 days, pending disciplinary proceedings or medical evaluation. The interim eviction/suspension shall become immediately

effective without prior notice whenever there is evidence that the continued presence of the student on the campus poses a substantial and immediate threat to himself or herself or to others or to the stability and continuance of normal University functions. Interim suspension shall be considered an excused absence.

8. A student suspended or evicted on an interim basis will be granted a disciplinary hearing or conference as soon as is practical.

Standards of Classroom Behavior

9. The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any prohibited or unlawful acts that result in disruption of a class may be directed by the instructor to leave the class for the remainder of the class period. Longer suspensions from a class, or dismissal on disciplinary grounds, must be preceded by a disciplinary conference or hearing, as set forth in Articles 25 and 26 of this Code, or in accordance with Articles 7 and 8 above

The term "prohibited...acts" includes behavior prohibited by the instructor (including, but not limited to, smoking in the classroom, persistently speaking without being recognized or called upon, refusing to be seated, disrupting the class by leaving and entering the room without authorization.) It must be emphasized that this provision is not designed to be used as a means to punish classroom dissent. The expression of a disagreement with the instructor or classmates is not in itself disruptive behavior.

Office of Student Judicial Services

10. The Office of Student Judicial Services within the Dean of Students Office directs the efforts of students and staff members in matters involving student discipline. The responsibilities of the Office include:

- a) Determining the disciplinary charges to be filed according to this Code;
- b) Interviewing, advising, and assisting parties involved in disciplinary proceedings and arranging for a balanced presentation before the various judicial boards on a timely basis;
- c) Training and advising the campus judiciary;
- d) Maintaining all student non-academic disciplinary records;
- e) Developing procedures for conflict resolution;
- f) Conducting disciplinary conferences;
- g) Collecting and disseminating research and analysis concerning student conduct.
- h) Resolving cases of student misconduct, including the imposition of sanctions lesser than

suspension or expulsion.

Prohibited Conduct

11. Violence of any kind will not be tolerated on or off University premises or at University-sponsored activities. Any student, group, or organization found to have committed misconduct is subject to disciplinary action and to the sanctions outlined in this Code. Attempts to commit any of these acts of misconduct are included in the scope of these definitions. The following are examples of misconduct which are subject to disciplinary action when they occur on University premises or at University sponsored events:

a) Rape - Engaging in sexual intercourse with any person without that person's consent. Such sexual intercourse is "without consent" when inflicted through the use of force or the threat of force, or upon a person who has refused consent, who is unconscious or who is otherwise without capacity to consent.

b) Sexual Assault - Inflicting a sexual invasion other than sexual intercourse upon any person without that person's consent. Such sexual invasion is "without consent" when inflicted through the use of force or the threat of force, or upon a person who has refused consent, who is unconscious or who is otherwise without capacity to consent.

c) Physical Abuse - Physical abuse and/or battery of any person.

d) Assault - Placing a person in fear of imminent physical danger or injury through the use of verbal or physical threats.

e) Sexual Harassment - Committing sexual harassment against another person. "Sexual harassment" means sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1) Submission to such conduct is made explicitly or implicitly a term or condition of academic performance or advancement or employment; or

2) Submission to or rejection of such conduct by an individual is used as a basis for a decision relating to the academic performance or advancement or employment of the individual; or

3) A person knows or should have known that such conduct is unwelcome and that the conduct has the purpose or effect of:

a) substantially interfering with an individual's academic or work performance; or

b) limiting participation in University programs or University-sponsored activities; or

c) creating an intimidating, hostile, or offensive academic, work, social or living environment.

f) Drug /Alcohol Violation - Possession or use of alcohol by persons under 21; intoxication on

University premises; possession of illegal drugs or controlled substances; manufacture or distribution of illegal drugs or controlled substances.

g) Weapon Violation - Use, possession, or storage of any firearms, ammunition, knives or other weapons, or objects which could be construed as weapons. Items that pose a potential hazard to the safety or health of others are also prohibited.

h) False Alarm/Report - Initiating or causing to be initiated any false alarm/report, warning, or threat of fire, explosion, or other emergency.

i) Interfering With University Events - Interfering with any normal University or University-sponsored events, including, but not limited to, studying, teaching, research, and University administration, fire, police, or emergency services.

j) Sanction Violation - Violating the terms of any disciplinary sanction imposed in accordance with this Code.

k) Dishonesty - Non-academic dishonesty including but not limited to:

1) Furnishing of false information to the University or University personnel, including University Police.

2) Furnishing false information at University disciplinary proceedings.

3) Forgery, unauthorized alteration or unauthorized use of any University documents, records, or identification cards, including computer records, misuse of computer facilities and electronic mailing systems. Academic dishonesty violations will be handled according to the Code of Academic Integrity.

l) Misuse of Fire Safety Equipment - Misuse or damage to fire safety equipment, such as fire extinguishers or exit signs.

m) Theft - Theft of property or of services or knowing possession of stolen property.

n) Destruction of Property - Destroying or damaging University property, such as library holdings, or the property of others.

o) Non-compliance - Failure to comply with reasonable directions of University officials, including University Police officers, acting in performance of their duties. Directives to cooperate in the administration of this Code including those to appear and give testimony at a University disciplinary proceeding as well as directives to produce identification are included in the scope of this provision.

p) Regulation Violation - Any violation of other published University regulations including, but not limited to, The Alcoholic Beverage Consumption and Distribution Policy, regulations

governing student organizations, the Residence Hall Rules and Regulations and other lease agreements with the University, the Code of Computer Usage, and the Gelman Library Rules and Regulations.

q) Fireworks Violation - Use or possession of fireworks.

r) Violation of Law - Violation of federal and/or local law, including, but not limited to, possession of any falsified identification; manufacture, sale or distribution of local, state or federal identification.

s) Unauthorized Use of the University's Name - Any unauthorized commercial use of the University's name, logo, or other representation.

t) Disorderly Conduct - Acting in a manner to annoy, disturb, interfere with, obstruct, or be offensive to others; shouting or making excessive noise either inside or outside a building to the annoyance or disturbance of others; verbally abusing University officials acting in performance of their duties; or acting in a lewd or indecent manner.

u) Hazing - Any act of hazing. Hazing is defined as any action taken or situation created, intentionally, with or without consent, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment or ridicule. Such activities and situations include but are not limited to paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips, or any other such activities carried on outside the confines of the house or organization; wearing, publicly, apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; and any other activities which are not consistent with the academic mission of the University. Groups will be held responsible for the actions of their members including pledges, associates, and any other pre-initiates.

Individuals will be charged, in addition to the group itself, under this, as well as any other applicable violations. See Sections 28 and 29 for further information regarding this prohibition.

v) Discrimination - Committing any of the above acts because of a person's race, color, religion, sex, national origin, age, disability, veteran status, or sexual orientation.

Sanctions

Articles 12 and 13 represent an attempt to give needed assistance to those who are assessing sanctions. The direction of the guidance is toward imposition of more severe disciplinary sanctions in serious cases. However, the language concerning "mitigating factors" is broad enough to give considerable discretion to do justice, depending upon the facts in each case. The burden of establishing mitigating factors is upon the student accused.

12. This Code seeks to preserve flexibility in the imposition of sanctions so that each student or group offender is afforded the greatest possibility for appropriate and just treatment.

Significant mitigating or aggravating factors shall be considered, which may include the current demeanor and the presence or lack of a disciplinary or criminal record of the offender as well as the nature of the offense and the extent of any damage, injury, or harm resulting from it.

a) Censure - An official written reprimand for violation of specified regulations, including a warning that continuation or repetition of prohibited conduct will be cause for additional disciplinary action.

b) Disciplinary Probation - Exclusion from participation in privileged or extracurricular institutional activities for a specified period of time, including athletic and any other team activity or sport. Additional restrictions or conditions may also be imposed. Violations of the terms of disciplinary probation, or any other violation of this Code during the period of probation, will normally result in suspension or expulsion from the University.

c) Restitution - Repayment to the University or to an affected party for damages, loss or injury resulting from a violation of this Code.

d) Suspension - Exclusion from classes and other privileges or activities, including access to University premises or University-sponsored activities off campus, as set forth in the notice of suspension, for a specified period of time. Any student who is suspended shall not be entitled to any tuition or fee refund, and is barred from University premises.

e) Expulsion - Termination of student status and exclusion from University privileges and activities, including access to University premises or University-sponsored activities off campus, in perpetuity. Any student who is expelled shall not be entitled to any tuition or fee refund, and is barred from University premises.

f) Eviction from Residence - Termination of residence contract and exclusion from visiting within certain or all residence facilities as set forth. Any student who is evicted shall not be entitled to a refund of room fees.

g) Other sanctions - Other sanctions may be imposed instead of or in addition to those specified in Sections (a) through (f) of this section. For example, students may be subject to restrictions upon or denials of University parking privileges for violations involving the use or registration of motor vehicles on campus. Service projects may also be assigned. Students may be directed to have "no contact" with other students and/or may be forbidden from accessing specified areas of campus ("persona non grata").

13. The following are recommended minimum sanctions:

- a) Rape: one year suspension and eviction from the residence halls or University-owned housing.
- b) Sexual Assault: one year suspension and eviction from the residence halls or University-owned housing.
- c) Physical Abuse: one semester suspension and eviction from the residence halls and University-owned housing.
- d) Assault: disciplinary probation.
- e) Sexual Harassment: disciplinary probation.
- f) Drug Violation:
 - 1) Possession and/or use:
 - 1st offense: \$50 fine, required participation in a drug abuse education program and eviction from residence halls;
 - 2nd offense: \$100 fine and required evaluation by a certified service at the student's expense;
 - 3rd offense: conference with the Dean of Students or designee to determine viability of the student's remaining at the University.
 - 2) Manufacture, distribution, possession with intent to distribute drugs: one year suspension.
 - 3) Violation of Alcohol Policy:
 - 1st offense: \$50 fine and required participation in an alcohol education program;
 - 2nd offense: \$100 fine and required assessment by a certified service at the student's expense;
 - 3rd offense: conference with the Dean of Students or a designee to determine viability of student remaining at the University.
- g) Possession or storage of a weapon or object that could be construed as a weapon: disciplinary probation and eviction from the residence halls and University-owned housing.
 - 1) Use of weapons, ammunition or objects that could be construed as weapons: one semester suspension.
 - 2) Use of firearms: one year suspension.
- h) False alarm/report: \$300 resetting fee. Suspension from the University and/or eviction from the residence halls and University-owned housing.

- l) Interfering with University events: censure.
 - j) Sanction violation: disciplinary probation.
 - k) Dishonesty: disciplinary probation.
 - l) Misuse of Fire/Safety Equipment: restitution.
 - m) Theft: restitution.
 - n) Destruction of property: restitution for cost of replacement or repairs; loss of privileges in libraries or computer or other laboratories.
 - o) Non-compliance: disciplinary probation.
 - p) Regulation violations: disciplinary probation, eviction from residence halls and University-owned housing; denial of computer privileges / access, loss of library privileges. In egregious cases, such as tampering with University computer records, student may be suspended for no less than one semester.
 - q) Fireworks Violation: eviction from residence and University-owned housing; restitution for cost of repairs.
 - r) Violation of law: disciplinary probation for acts including, but not limited to, possession of any falsified means of identification; one semester suspension or, in egregious cases, expulsion for acts including, but not limited to, manufacture, sale, or distribution of local, state or federal means of identification.
 - s) Unauthorized Use of the University's Name: disciplinary probation.
 - t) Disorderly conduct: disciplinary probation and/or eviction from residence halls and University-owned housing.
 - u) Hazing: for groups, loss of University registration and all attendant privileges; for individuals, disciplinary probation or any other sanction applicable for additional charges.
 - v) Discrimination: will not have a separate, minimum sanction since it will only be charged in conjunction with charges or other prohibited conduct.
14. Repeated or aggravated violations of any part of this Code may also result in expulsion or suspension or any other sanction that may be appropriate.

15. Attempts to commit acts prohibited by this Code, or encouraging others to commit acts prohibited by this Code shall be punished to the same extent as completed violations.

16. Students subject to eviction from University housing or suspension or expulsion from the University will be entitled to a judicial board hearing. Students subject to any other sanction will be entitled to an informal disciplinary conference. (See Sections 26 and 27.)

Case Referrals

17. Any person may refer students or student groups or organizations suspected of violating any part of this Code to the Office of Student Judicial Services and the University Police. Any person who witnesses a violation in progress should report this immediately to the University Police.

18. The Assistant Dean of Students or a designee will review the reported allegation to determine whether a sanction of suspension, eviction from housing, or expulsion is warranted. From that determination, a judicial board hearing or disciplinary conference will be scheduled based upon the terms in Sections 25 and 26. Any student, however, may elect to have a disciplinary conference. If a student entitled to a judicial board hearing elects a disciplinary conference, the full range of sanctions may be imposed, including, eviction, suspension, and expulsion.

19. The Assistant Dean of Students or a designee may defer disciplinary proceedings for alleged violations of this Code for a period not to exceed one semester. Pending charges may be withdrawn thereafter, dependent upon the conduct of the accused student, or be added to any subsequent charges within the period of deferment.

Judicial Boards

20. Judicial Bodies:

a) The University Hearing Board hears cases to be resolved in accordance with this Code. The Board is composed of five full-time students to be selected from the pool. The pool shall consist of at least 10 full-time students selected according to Section 22 of this Code. If the alleged misconduct may result in suspension or expulsion from the University, whenever possible, a faculty member or administrator will be included; however, the absence of a faculty member or administrator will not prevent the University Hearing Board from hearing a case. Quorum will consist of at least three students.

b) The Student Traffic Board considers appeals of offenses for which a ticket was issued by the Parking Office as well as other parking matters referred by the Parking Office. It may both impose and reduce prescribed fines or suspensions of parking privileges. The Board is composed of three full-time students. Traffic Board decisions are subject to administrative review at the discretion of the Assistant Dean of Students, but are otherwise considered final and conclusive. Requests for appeals of parking tickets must be submitted in writing to the Office of Parking Services within five business days from the date the ticket was issued. Failure to appeal within the allotted time will render the original decision final and conclusive.

c) ad hoc Boards may be appointed by the Assistant Dean of Students if after reasonable effort any board is not able to be constituted, is unable to obtain a quorum, or is otherwise unable to hear a case. ad hoc Boards may be composed of administrators, faculty members, students, or any combination thereof. Reasonable efforts should be made to arrange for student membership on any ad hoc Board.

d) The Committee on the Judicial System, appointed by the President for a term of two years, will be composed of the following members: Two faculty members to be nominated by the Faculty Senate; two administrators to be nominated by the Dean of Students; two full-time undergraduate students and one graduate student to be nominated by the President of the Student Association. Quorum will consist of three members with each constituency--administrators, faculty and students--represented. The chairperson should be a member of the Faculty Senate. In addition to reviewing appeals, other tasks or assignments may be referred to the Committee at the discretion of the Dean of Students. The Committee on the Judicial System's decisions on appeals are final and conclusive.

21. With the exception of the Student Traffic Board, the finding of fact as determined by each judicial board will be forwarded to the Assistant Dean of Students or designee for determination and imposition of sanction, if applicable. In case of suspension or expulsion, the Dean of Students or a designee, in concurrence with the Vice President for Academic Affairs or a designee, will impose sanctions.

Selection and Removal of Judicial Board Members

22. Student members of each judicial board and the presiding officer are selected in accordance with procedures developed by the Assistant Dean of Students or a designee. Student members of each judicial board are appointed by the Dean of Students or a designee to serve for a term of one year. Faculty and administrative members of each judicial board are nominated by the Faculty Senate and the Dean of Students, respectively, and are appointed by the President for terms established by the Faculty Senate.

23. Members of any judicial pool who are charged with any violation of this Code or with a criminal offense will be suspended from their judicial positions by the Assistant Dean of Students or a designee during the pendency of the charges against them. Members found guilty of any such violation or criminal offense will be disqualified from any further participation in the University judicial system. Additional grounds and procedures for removal may be established by the Assistant Dean of Students.

24. Students, faculty and staff appointed as members of any Judicial board must adhere to absolute confidentiality relative to the matters and names of all individuals who participate in the judicial process. Any student who violates this provision will be charged, and if found in violation, will be sanctioned.

Procedural Guidelines--Disciplinary Conferences

25. When deemed appropriate by violation, when requested by students in place of a judicial board hearing, or when used to adjudicate minor violations of residence hall regulations, the following procedural guidelines for a disciplinary conference will be used:

A disciplinary conference will normally consist of an informal, non-adversarial meeting between the accused student and a University administrator or an experienced member of the University Hearing Board as designated by the Assistant Dean of Students or the Administrator for Student Judicial Services. Respondents may request the Office of Student Judicial Services to call appropriate and relevant witnesses on their behalf.

The following guidelines apply to respondents in disciplinary conferences:

a) Written notice of the specific charges and date of scheduled conference at least three days prior to the conference.

b) Reasonable access to the case file at least three days prior to and during the conference. A case file is part of the student's education record under the Family Educational Rights and Privacy Act of 1974. The personal notes of University staff members are not included in the case file. The case file will be retained in the Office of Student Judicial Services.

c) An opportunity to respond to the evidence and to call appropriate and relevant student witnesses. It is expected that all witnesses will provide information that is true and correct. Any student who knowingly provides false information during a disciplinary conference will be charged under Section 11 (k,2) of this Code.

d) A right to an advisor in accordance with the guidelines in Part 27.

e) If a student entitled to a judicial board hearing elects a disciplinary conference, the full range of sanctions may be imposed, including eviction, suspension, and expulsion. ~~(The right to appeal the sanction of expulsion or suspension shall not be applicable. The penalty of eviction is never appealable.)~~

Editorial
Change
4/12/96

Procedural Guidelines--Disciplinary Hearings

26. The following procedural guidelines shall be applicable in all disciplinary hearings:

a) Students accused of violations will be given written notice of the hearing date and the specific charges against them within a reasonable amount of time and will be given reasonable access to the case file which will be retained in the Office of Student Judicial Services.

b) The Office of Student Judicial Services will take steps to compel the attendance of student witnesses whose testimony may help the University Hearing Board to establish the factual record. Failure to appear when called will result in charges under this Code. Character witnesses will not be heard. It is expected that all witnesses will provide information that is true and correct. Any student who knowingly provides false information during a disciplinary

hearing will be charged under Section 11 (k,2) of this Code.

c) Accused students who fail to appear after written notice will be deemed not to have contested the allegations against them; however, a student may elect not to speak on his/her own behalf. In such cases, the University Hearing Board's decision will be based solely on witness testimony and other written information presented during the proceeding.

d) Hearings will be closed to the public. A public hearing may be held at the discretion of the presiding officer, if requested by the respondent.

e) The presiding officer will exercise control over the proceedings to maintain proper decorum, to avoid needless consumption of time and to achieve an orderly completion of the hearing. Anyone disrupting the hearing may be removed or excluded from the hearing by the presiding officer, the Assistant Dean of Students, or a designee. Such disruption is a violation of this Code, and an individual may be charged following his/her disruption and removal.

f) Hearings will be tape-recorded or transcribed. The method used is at the discretion of the Assistant Dean of Students.

g) Any party may challenge a Board member on the grounds of personal bias. The decision to disqualify a Board member will be made by the Assistant Dean of Students or a designee. This decision is final.

h) Witnesses will be truthful in giving testimony before the Board. Furnishing false information in such a context is a violation of this Code and appropriate sanctions will be applied.

i) Only the immediate parties to the alleged violation may be present throughout the hearing. All parties will be excluded during Board deliberations.

j) The Board will question all parties in an effort to establish the factual record. On disputed points, a preponderance of the evidence available, fairly considered, will decide the facts. A "preponderance of the evidence" means that it is "more likely than not" that a fact is true or an event occurred.

k) Formal rules of evidence will not be applicable in disciplinary proceedings described in this Code. Confidentiality and University rules of privilege will be observed.

l) All parties may question witnesses who testify for any of the parties at the hearing.

m) Prior to the hearing, the Assistant Dean of Students may appoint a special presiding officer in complex cases.

n) Reports of the Board shall include a finding of fact and a determination of whether or not the respondent is in violation of the alleged misconduct. If the Board determines the respondent to be in violation, the report will also include a recommendation of sanction. The Board may consider mitigating or aggravating circumstances when making a sanction recommendation. The report will be forwarded to the Assistant Dean of Students for review. If in the judgement of the Assistant Dean of Students the sanction recommended by the Board is significantly at variance with sanctions imposed in closely similar cases, the Assistant Dean of Students may then revise the sanction.

o) In cases of suspension or expulsion, the Dean of Students or a designee, in concurrence with the Vice President for Academic Affairs or a designee, will impose sanctions. The past disciplinary record of the accused student and applicable mitigating circumstances will be taken into account in determining the sanction(s).

p) The accused student will receive, in writing within a reasonable amount of time, the decision of the Board and the sanction(s) determined.

q) Accused students have the right to an advisor in accordance with the guidelines in Section 27.

Representatives and Advisors

27. Representation is not permitted in University disciplinary hearings or conferences. Accused students may be accompanied by an advisor/friendly observer. The role of advisors shall be limited to consultation with respondents; advisors may not address the Board or question hearing participants. This party may be, but may not act as, legal counsel.

Student Groups and Organizations

28. Student groups and organizations may be charged with violations of this Code.

29. A student group or organization may be held collectively responsible and its officers may be held individually responsible when violations of the Code by those associated with the group or organization have occurred.

A position of leadership in a student group, organization, or athletic team entails responsibility. Student officers cannot permit, condone, or acquiesce in any violation of this Code by the group or organization.

This section of the Code is also designed to hold a group, including athletic teams, student organizations and their officers accountable for any act of hazing. For example, requiring, expecting, or encouraging members to consume any drug, including alcohol, as a condition or prelude to membership or further participation in the organization would constitute a violation of Sections 11. a., f., i., and w. This is because such an activity may be physically abusive.

constitutes an interference with normal University activities and violates drug/alcohol regulations. The express or implied "consent" of the victim or participant is not a defense. Participants in these activities will be charged; the University community is considered to be the victim.

30. The officers or leaders or any identifiable spokesperson for a student group or organization may be directed by the Assistant Dean of Students or a designee to take appropriate action designed to prevent or end violations of this Code by the group or organization. Failure to make reasonable efforts to comply with the Assistant Dean of Students' directive shall be considered a violation of this Code both by the officers, leaders, or spokesperson for the group or organization and by the group or organization itself.

31. Sanctions for group or organization misconduct may include revocation or denial of registration, as well as other appropriate sanctions.

Appeals

32. Appeals must be based on new information which is relevant to the case, was not previously presented at hearing or conference, and which significantly alters the finding of fact.

33. Appeals must be submitted in writing to the Office of Student Judicial Services within five business days from the date of the written sanction notice. Appeals must be submitted in writing to the Office of Student Judicial Services within five business days from the date of the written sanction notice. These appeals will be reviewed by the Assistant Dean of Students or designee to determine their viability based on new information significantly altering the finding of fact. When deemed viable, the appeal will be forwarded to the Committee on the Judicial System for its review. Failure to appeal within the allotted time will render the original decision final and conclusive. Decisions to grant or deny the appeal will be based upon information supplied in the written appeal and, when necessary, upon the record of the original proceedings.

34. The Committee on the Judicial System may:

- a) Affirm the finding of the original board or conference;
- b) Remand the case to the original board conference officer for a new hearing;
- c) Request that a new board or conference officer hear the case.

35. The imposition of sanctions will be deferred during the pendency of appellate proceedings unless, in the judgment of the Dean of Students or a designee, the continued presence of the student on campus poses a substantial threat to others, to him/herself, or to the stability and continuance of normal University functions.

Transcript Notations

36. A temporary encumbrance may be placed on a student's University records by the Assistant Dean of Students or a designee while disciplinary proceedings are pending.

37. Notation of disciplinary action will be made on the transcript whenever a student is expelled or suspended. Students may petition for removal of the notation of suspension when the suspension period has expired or after three years, whichever comes first. Such petitions may be granted at the discretion of the Assistant Dean of Students, or a designee. Factors to be considered in reviewing petitions for notation removal include the current demeanor of the student, the student's conduct subsequent to the violation, and the nature of the violation, including the damage, injury, or harm.

Disciplinary Files and Records

38. Case referrals may result in the development of a disciplinary file in the name of the student; the file shall be voided if the charge is not substantiated. Voided files will be so marked, shall not be kept with active disciplinary records, and shall not leave any student with a disciplinary record.

39. The files of students found in violation of any prohibited conduct will be retained as disciplinary record until their graduation. Disciplinary records may be reported to third parties in accordance with University regulations and Federal law.


40. Disciplinary records may be expunged by the Assistant Dean of Students, upon written request of the student, not sooner than one year after the finding of fact for the case. In deciding whether to grant the request, the Assistant Dean of Students will consider such factors as the current demeanor of the student, the student's conduct subsequent to the violation, and the nature of the violation including the severity of any other student's damage, injury, or harm.

41. Students assigned to complete any sanction as a result of violating any section of this Code will have their records encumbered by the Office of Student Judicial Services. The encumbrance will be removed upon completion of all sanctions required by the University.

THE GEORGE WASHINGTON UNIVERSITY
DEAN OF STUDENTS OFFICE
INTERDEPARTMENTAL MEMORANDUM

DATE: February 16, 1996

TO: The George Washington University Faculty Senate

FROM: Linda Donnels, Dean of Students 

RE: Code of Student Conduct--Revisions and Overview of Review Process

The Code of Student Conduct was adopted by the University in 1988. Since that time, passage of the Drug-Free Schools and Communities Act, the Student Right to Know Act and its subsequent amendments to include specific accountability with regard to sexual assault, have made our Code less viable.

In 1992, the first working group of faculty, students, administrators, coordinated by Student Judicial Services, convened to draft a new code. The group reconvened, with additional members in 1993. The work was reviewed by University Counsel, the Assistant Dean of Students, and finally the Committee on the Judicial System in 1994 which suggested appropriate amendments and modifications. Also in 1994, the draft of the Code was reviewed by the Joint Committee, but a resolution to endorse was not sought.

The language of the current Code is needlessly legalistic generally producing argument over points of procedure rather than providing the opportunity for discussion of community values. Too often, the lack of specificity has left hearing bodies unable to hold students accountable for behavior board members felt was destructive.

While the original Code stated that its goal was to articulate a philosophy of fundamental fairness, in practice, procedures have been cumbersome, redundant, and often dogmatic. In drafting the new Code, every effort has been made to simplify procedure and to enhance student/user access.

The Joint Committee reviewed the draft, made appropriate changes and passed the accompanying Resolution on January 26, 1996, urging passage of the document by the Faculty Senate.

**RESOLUTION OF THE JOINT COMMITTEE OF FACULTY AND STUDENTS
REGARDING PROPOSED REVISIONS TO THE CODE OF STUDENT CONDUCT**

WHEREAS there is currently a proposal for revisions to the Code of Student Conduct being put forward by the Office of the Dean of Students, and;

WHEREAS these revisions have been designed for the purpose of improving the Code of Student Conduct by addressing deficiencies arising from the subsequent passage of the Drug Free Schools and Communities Act, and the Student Right to Know Act, and;

WHEREAS the proposed revisions will clarify several points of procedure in the hearing process by making them less legalistic, thereby further enabling hearing bodies to hold students accountable for determined destructive behavior,

BE IT RESOLVED that the Joint Committee of Faculty and Student endorses the attached proposal for revisions to the Code of Student Conduct and urges the Faculty Senate to approve it as well.

Joint Committee of Faculty and Students
January, 1996



STUDENT ASSOCIATION

SENATE RESOLUTION
SPRING 1996 -1

SPONSORS: Scott Mory, CSAS-U
Damian McKenna, SEAS-U
Mark Reynolds, President

"A Resolution Endorsing Proposed Amendments to the Code of Student Conduct"

WHEREAS the Dean of Students Office has recently introduced several amendments to the Code of Student Conduct, and

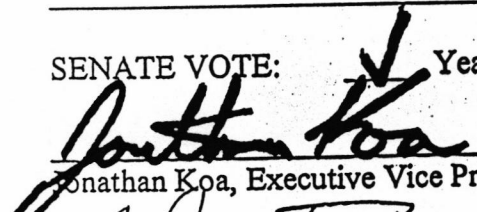
WHEREAS these amendments are designed to improve the Code of Student Conduct by addressing deficiencies which have arisen since the Code was first written, as well as to address new requirements of law such as the Drug Free Schools and Communities Act and the Student Right to Know Act, and

WHEREAS these amendments have been developed in consultation with the Student Association and Faculty Senate over the past three years, and

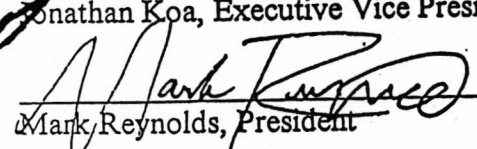
WHEREAS the Joint Committee of Faculty and Students has already endorsed the amendments,

THEREFORE BE IT RESOLVED by The George Washington University Student Association to endorse the proposed amendments to the Code of Student Conduct, and urge the Faculty Senate to do so as well.

SENATE VOTE: ☒ Yea ☐ Nay ☐ Abstain


Jonathan Koa, Executive Vice President

2/20/96
Date


Mark Reynolds, President

2/20/96
Date

VETO / APPROVE

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See Revised Code
Adopted by Senate
on April 12, 1996

DRAFT

PROPOSED
CODE OF STUDENT CONDUCT

Submitted by: Linda Donnels, GWU Dean of Students

revised draft approved by JCFS: 1/26/96

CODE OF STUDENT CONDUCT

REVISED 1/96

ADOPTED 5/88

Authority for Student Discipline

1. Ultimate authority for student discipline is vested in the Board of Trustees by the University Charter. Disciplinary authority may be delegated to University administrators, faculty members, student committees, and organizations, as set forth in the Code of Student Conduct ("Code"), or in other appropriate policies, rules, or regulations adopted by the Board. Students are asked to assume positions of responsibility in the University judicial system so that they may contribute their skills and insights to the resolution of disciplinary cases.

Authority for Student Discipline

1. Ultimate authority for student discipline is vested in the Board of Trustees by the University Charter. Disciplinary authority may be delegated to University administrators, faculty members, committees, and organizations, as set forth in this Code, or in other appropriate policies, rules, or regulations adopted by the Board. Students are asked to assume positions of responsibility in the University judicial system in order that they might contribute their skills and insights to the resolution of disciplinary cases.

Rationale

2. The primary purpose for the maintenance of discipline in the University setting is to protect the campus community and to establish clearly standards for civil interaction among community members. The University's goal, through maintenance of standards set forth in the Code, is to help students experience democratic citizenship, and its attendant obligations and responsibilities.

The purpose of a disciplinary proceeding is to establish the factual record regarding an alleged violation of the Code. The procedures outlined do not attempt to recreate or approximate a court of law. Procedures shall reflect standards of fundamental fairness; however, minor deviation from procedural guidelines for hearings suggested in this Code shall not invalidate a decision or proceeding resulting from conference or hearing unless significant prejudice to the accused or the University may result, as judged by the Assistant Dean of Students.

Rationale

2. The primary purpose for the imposition of discipline in the University setting is to protect the campus community. Consistent with that purpose, reasonable efforts will also be made to foster the personal, educational, and social development of those students who are held accountable for violations of University regulations.

Commentary

The University must commit its policies and procedures first of all to protect and promote the academic enterprise. Consequently, it may be necessary to suspend or expel students who have been found responsible for violations of this Code, or who otherwise pose a substantial danger to the campus community.

Any punishment imposed in accordance with this Code may also have the value of discouraging the offender and others from engaging in future misbehavior. In cases of minor disciplinary violations, the particular form of punishment may be designed to draw upon the educational resources of the University in order to bring about a lasting and reasoned change in behavior. However, the underlying rationale for punishment need not rest on deterrence or "reform" alone. A just punishment may also be imposed because it is deserved and because punishment for willful offenses affirms the autonomy and integrity of the offender.

Definitions

3. When used in this Code:

- a) "Distribution" means any form of sale, exchange, or transfer.
- b) "Group" means a number of persons who are associated with each other, but who have not complied with University requirements for registration as an organization.
- c) "Institution" and "University" mean The George Washington University and all of its undergraduate, graduate, and professional schools, divisions, and programs.
- d) "Organization" means any number of persons who have complied with University requirements for registration with the Office of Campus Activities as a student organization.
- e) "Student" means any currently enrolled person, full-time, part-time, or on continuous enrollment, pursuing undergraduate, graduate, or professional studies, whether or not in pursuit of a degree or of any form of certificate of completion.
- f) "University premises" means buildings or grounds owned or leased by the University including but not limited to buildings or grounds in which students reside and University food service facilities are located; Marvin Center facilities; and facilities operated in the name of any officially-registered student organization. This definition is not limited to buildings or grounds owned or leased by the University at the Foggy Bottom Campus. This definition does not include buildings or grounds which are leased or sublet to any person(s) or business entities.
- g) The term "University-sponsored activities" means events and activities initiated by a student, student group or organization, or University department, faculty member or employee which:
 1. Are expressly authorized, aided, conducted or supervised by the University; or
 2. Are funded in whole or in part by the University; or
 3. Are initiated by an officially-registered student organization and conducted or promoted in the name of that student organization and/or the University; or
 4. Take place on University premises.

Definitions

3. When used in this Code:

- a) The term "aggravated violation" means a violation that resulted or foreseeably could have resulted in significant damage to persons or property or that otherwise posed a substantial threat to the stability and continuance of normal University or University-sponsored activities.
- b) The term "distribution" means any form of sale, exchange or transfer.
- c) The term "group" means a number of persons who are associated with each other but who have not complied with University requirements for registration as an organization.
- d) The terms "institution" and "University" mean The George Washington University and all of its undergraduate, graduate, and professional schools and colleges, divisions, and programs.
- e) The term "organization" means a number of persons who have complied with University requirements for registration.
- f) The term "reckless" means conduct that one should reasonably be expected to know would create a substantial risk of harm to persons or property or that would otherwise be likely to result in interference with normal University or University-sponsored activities.
- g) The term "student" means any currently enrolled person for whom the institution maintains educational records, as defined by the Family Educational Rights and Privacy Act of 1974 and related regulations.
- h) The term "University premises" means buildings or grounds owned or leased by the University. "University premises" does not include any such buildings or grounds which are leased or sublet to any persons or business entities, with the exception of the following:
 1. Buildings or grounds which comprise the University residence hall system; and
 2. University food service facilities; and
 3. Marvin Center facilities; and
 4. Buildings or grounds which are operated in the name of any officially-registered student organization.

i) The term "weapon" means any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, explosives, pellet guns, slingshots, martial arts devices, brass knuckles, switchblades, bowie knives, daggers or similar knives, and chemicals such as "mace" or tear-gas. A harmless instrument designed to look like a firearm, explosive, or weapon, which is used by a person to cause reasonable apprehension of harm or to assault another person, is expressly included within the meaning of weapon.

j) The term "University-sponsored activities" means events and activities initiated by a student, student group or organization, or University department, faculty member or employee which:

1. Are expressly authorized, aided, conducted or supervised by the University; or
2. Are funded in whole or in part by the University; or
3. Are initiated by an officially-registered student organization and conducted or promoted in the name of that student organization and/or the University; or
4. Take place on University premises.

k) The terms "will" or "shall" are used in the imperative sense.

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Interpretation of Regulations

4. The purpose of publishing disciplinary regulations is to inform students of prohibited behavior. This Code is not written with the specificity of a criminal statute.

Interpretation of Regulations

4. The purpose of publishing disciplinary regulations is to give students notice of prohibited behavior. This Code is not written with the specificity of a criminal statute.

Inherent Authority

5. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Such action may include taking disciplinary action against those students whose behavior off University premises indicates that they pose a serious and substantial danger to others.

The University will not routinely invoke the disciplinary process for student misbehavior occurring off University premises. Nonetheless, it will be necessary to endeavor to protect the campus community when there are reasonable grounds to believe that a student may pose a substantial danger to others.

Although "substantial danger" may be manifested by a pending criminal charge (usually relating to a crime of violence, burglary, substantial theft or fraud, the sale of illegal drugs, or the possession of substantial quantities of illegal drugs), such a charge is not necessary for the University to invoke its inherent authority.

6. Students may be accountable both to civil authorities and to the University for acts that constitute violations of law and of this Code. Disciplinary action at the University will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced or that no criminal charges have been brought.

Inherent Authority

5. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Such action may include taking disciplinary action against those students whose behavior off University premises indicates that they pose a serious and substantial danger to others.

Commentary

The University will not routinely invoke the disciplinary process for student misbehavior occurring off University premises. Nonetheless, it will be necessary to endeavor to protect the campus community when there are reasonable grounds to believe that a student may pose a substantial danger to others. Normally, such "substantial danger" will be manifested by a pending criminal charge, usually relating to a crime of violence, burglary, substantial theft or fraud, the sale of illegal drugs, or the possession of substantial quantities of illegal drugs.

6. Students may be accountable to both civil authorities and to the University for acts that constitute violations of law and of this Code. Disciplinary action at the University will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

Interim Suspension

7. The Dean of Students or a designee may evict a student from University housing or suspend a student from the University for an interim period not to exceed 21 days, pending disciplinary proceedings or medical evaluation. The interim eviction/suspension shall become immediately effective without prior notice whenever there is evidence that the continued presence of the student on the campus poses a substantial and immediate threat to himself or herself or to others or to the stability and continuance of normal University functions. Interim suspension shall be considered an excused absence.

8. A student suspended or evicted on an interim basis will be granted a hearing as soon as is practical.

Interim Suspension

7. The Dean of Students or a designee may evict from the University housing or, with the concurrence of the Vice President for Academic Affairs or a designee, suspend a student from the University for an interim period not to exceed 21 days, pending disciplinary proceedings or medical evaluation. The interim eviction/suspension shall become immediately effective without prior notice whenever there is evidence that the continued presence of the student on the campus poses a substantial and immediate threat to himself or herself or to others or to the stability and continuance of normal University functions. Interim suspension shall be considered an excused absence.

8. A student suspended or evicted on an interim basis shall be given an opportunity to appear personally before the Dean of Students or a designee and the Vice President for Academic Affairs or a designee (if interim suspension) within five business days from the effective date of the interim suspension or eviction in order to discuss the following issues only:

- a) The reliability of the information concerning the student's conduct, including the matter of his or her identity;
- b) Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on University premises poses a substantial and immediate threat to himself or herself or to others or to the stability and continuance of normal University functions.

Standards of Classroom Behavior

9. The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any prohibited or unlawful acts that result in disruption of a class may be directed by the instructor to leave the class for the remainder of the class period. Longer suspensions from a class, or dismissal on disciplinary grounds, must be preceded by a disciplinary conference or hearing, as set forth in Articles 25 and 26 of this Code, or in accordance with Articles 7 and 8 above.

The term "prohibited...acts" includes behavior prohibited by the instructor (including, but not limited to, smoking in the classroom, persistently speaking without being recognized or called upon, refusing to be seated, disrupting the class by leaving and entering the room without authorization.) It must be emphasized that this provision is not designed to be used as a means to punish classroom dissent. The expression of a disagreement with the instructor or classmates is not in itself disruptive behavior.

Standards of Classroom Behavior

9. The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any prohibited or unlawful acts that result in disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period. Longer suspensions from a class, or dismissal on disciplinary grounds, must be preceded by a disciplinary conference or hearing, as set forth in Parts 29 and 30 of this Code, or in accordance with Parts 7 and 8.

Commentary

The term "prohibited...acts" would include behavior prohibited by the instructor (e.g., smoking in the classroom, persistently speaking without being called upon, refusing to be seated, disrupting the class by leaving and entering the room without authorization, etc.). It must be emphasized that this provision is not designed to be used as a means to punish classroom dissent. The lawful expression of a disagreement with the instructor is not in itself disruptive behavior.

Office of Student Judicial Services

10. The Office of Student Judicial Services within the Dean of Students Office directs the efforts of students and staff members in matters involving student discipline. The responsibilities of the Office include:

- a) Determining the disciplinary charges to be filed according to this Code;
- b) Interviewing, advising, and assisting parties involved in disciplinary proceedings and arranging for a balanced presentation before the various judicial boards on a timely basis;
- c) Training and advising the campus judiciary;
- d) Maintaining all student non-academic disciplinary records;
- e) Developing procedures for conflict resolution;
- f) Conducting disciplinary conferences;
- g) Collecting and disseminating research and analysis concerning student conduct.
- h) Resolving cases of student misconduct, including the imposition of sanctions lesser than suspension or expulsion.

Office of Judicial Affairs

10. The Office of Judicial Affairs within the Dean of Students Office directs the efforts of students and staff members in matters involving student discipline. The responsibilities of the Office include:

- a) Determining the disciplinary charges to be filed pursuant to this Code.
- b) Interviewing, advising, and assisting parties involved in disciplinary proceedings and arranging for a balanced presentation before the various judicial boards.
- c) Training and advising the campus judiciary.
- d) Maintaining all student non-academic disciplinary records.
- e) Developing procedures for conflict resolution.
- f) Resolving cases of student misconduct, as specified in Part 29 of this Code.
- g) Collecting and disseminating research and analysis concerning student conduct.
- h) Submitting a report each semester to the campus community, indicating the number of cases referred to the Office, the number of cases resulting in disciplinary action, and the range of sanctions imposed.

Prohibited Conduct

11. Violence of any kind will not be tolerated on or off University premises or at University-sponsored activities. Any student found to have committed misconduct is subject to disciplinary action and to the sanctions outlined in this Code. Attempts to commit any of these acts of misconduct are included in the scope of these definitions. The following are examples of misconduct which are subject to disciplinary action when they occur on University premises or at University sponsored events:

- a) Rape - Engaging in sexual intercourse with any person without that person's consent. Such sexual intercourse is "without consent" when inflicted through the use of force or the threat of force, or upon a person who has refused consent, who is unconscious or who is otherwise without capacity to consent.
- b) Sexual Assault - Inflicting a sexual invasion other than sexual intercourse upon any person without that person's consent. Such sexual invasion is "without consent" when inflicted through the use of force or the threat of force, or upon a person who has refused consent, who is unconscious or who is otherwise without capacity to consent.
- c) Physical Abuse - Physical abuse and/or battery of any person.
- d) Assault - Placing a person in fear of imminent physical danger or injury through the use of verbal or physical threats.
- e) Sexual Harassment - Committing sexual harassment against another person. "Sexual harassment" means sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - 1) Submission to such conduct is made explicitly or implicitly a term or condition of academic performance or advancement or employment; or
 - 2) Submission to or rejection of such conduct by an individual is used as a basis for a decision relating to the academic performance or advancement or employment of the individual; or
 - 3) A person knows or should have known that such conduct is unwelcome and that the conduct has the purpose or effect of:

Prohibited Conduct

11. The following misconduct is subject to disciplinary action:

- a) Intentionally or recklessly endangering, threatening, or causing physical harm to any person on University premises or at University-sponsored activities, or intentionally or recklessly causing reasonable apprehension of such harm.
- b) Unauthorized use, possession or storage of any weapon or explosive on University premises or at University-sponsored activities, whether or not a federal or state license to possess the same has been issued to the possessor.
- c) Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency on University premises or at University-sponsored activities.
- d) Intentionally or recklessly interfering with normal University or University-sponsored activities, including but not limited to, studying, teaching, research, and University administration or fire, police, or emergency services.
- e) Knowingly violating the terms of any disciplinary sanction imposed in accordance with this Code.
- f) Intentionally furnishing false information to the University.
- g) Unauthorized distribution or possession for the purpose of distribution of any controlled substance or illegal drug on University premises or at University-sponsored activities.
- h) Forgery, unauthorized alteration, or unauthorized use of any University non-academic document or instrument of identification.
- i) Intentionally or recklessly misusing or damaging fire safety equipment.
- j) Intentionally and substantially interfering with the freedom of expression of others on University premises or at University-sponsored activities.
- k) Theft of property or of services on University premises or at University-sponsored activities; knowing possession of stolen property on University premises or at University-sponsored activities.

OBJECTIVES

In order to strive toward achievement of the stated research goals, the Advisory Council on Research, in consultation with the Senate Committee on Research, has considered 16 objectives for prioritization. Of these 16 objectives, 12 have been selected for realization over a four-year period beginning with the current year and the remaining 4 have been dropped. Of the 12 selected, 4 are currently being pursued by the Associate Vice President for Research and Graduate Studies as items that require immediate attention. The remaining 8 have been prioritized for realization over a three-year period beginning in FY 96 and therefore are to be presented for consideration during the 1994-95 planning and budget process.

OBJECTIVES CURRENTLY BEING PURSUED -- AY 93-94

Priority 1: Develop a New University Patent Policy

Objective -- The current Patent Policy of the University is antiquated. Therefore, it is essential that we modernize the University's Patent Policy in a way that encourages faculty to apply for patents through the University. **Cost** -- The cost is not associated with the drafting of a new Patent Policy, but rather in the consequences that follow. At the moment, the only financed mechanism for pursuing patent searches and potential patent applications is through the Research Corporation. However, the latter is not perceived by the faculty as the best way to proceed. Therefore, one outgrowth of a new Patent Policy may be the need to develop an alternative set of funds intrinsic to the University that can be used for patent searches and patent applications somewhat as a risk capital venture for the University. Of course, this would necessitate some kind of

internal review mechanism to determine which patent proposals are worthy of support as opposed to going through the Research Corporation. **Benefit** -- An active patent and technology transfer program has the potential of bringing further research funds to the University. **Goals supported** -- 1, 3, and 6.

Priority 2: Centers and Institutes

Objective -- The aim is to maintain a rigorous procedure for the chartering and renewing of charters for Centers and Institutes within the University consistent with academic program goals and priorities. Centers are viewed as being entities within schools or departments that involve a number of faculty who are working towards a common scholarly aim, while Institutes are broader and usually involve interdisciplinary collaboration across schools. Rarely, if ever, should one faculty member alone serve as the focal point of a Center. The primary purpose of forming either a Center or an Institute is to enhance scholarly activity and, in particular, to make a more visible and viable collaboration of faculty and graduate students for the purpose of bringing funding to the activity from outside sources. Within this framework, Centers and Institutes are reviewed for chartering and renewal. **Cost** -- On occasion, the University may decide to create a Center of Excellence and fund a Center or Institute through the Research Enhancement Funds Program. Otherwise, the cost lies primarily in the space and organization required to make the Center or Institute function. Moreover, in many cases, such activities bring in funds and as a result are a very positive undertaking for the University in the sense of recognition and quality academic activity. **Benefit** -- Productive Centers and Institutes have the potential of bringing considerable recognition to the University. **Goals supported** -- 1, 2, 3, 4, 5, and 6.

Priority 3: Development of an Administrative Research Structure within each School (excluding the SMHS)

Objective -- The aim is to have an individual in each school designated as the person responsible for working with the Associate Vice President for Research and Graduate Studies for the purpose of pursuing sponsored-research projects consistent with the School's priorities and graduate program aims. This person most likely would be an Associate Dean responsible for Graduate Programs and thereby also responsible for Research. In addition, this person would also oversee the staff person who would provide the liaison between the Office of Sponsored Research and the particular School for the pre- and post-award assistance as discussed below under Internal Infrastructure. **Cost** -- The main cost would be the shifting of responsibilities of an Associate Dean in each school or the creation of a new Associate Dean's position in each school for this purpose. However, it would give a very strong signal to all faculties of the importance of scholarly and sponsored-research pursuits. **Benefits** -- Through collaborative interactions with the Associate Vice President for Research and Graduate Studies, targets of opportunity for external funding of research should always be known and can be pursued in a timely fashion with high quality proposals from appropriate faculty of the School. **Goals supported** -- 1, 3, 4, and 5.

Priority 4: Infrastructure (excluding the SMHS)

Objective -- There is considerable evidence that a centralized group of individuals (under the Office of Sponsored Research) is needed whose dedicated task is to provide pre-award and post-award assistance to faculty from all schools in proposal writing and grant or contract administration. For the pre-award phase, this group might provide assistance in gathering of information or

1. The first part of the report is a general introduction to the subject.

2. The second part is a detailed description of the methods used in the study.

3. The third part is a discussion of the results of the study.

4. The fourth part is a conclusion and a list of references.

5. The fifth part is a list of figures and tables.

6. The sixth part is a list of appendices.

7. The seventh part is a list of footnotes.

8. The eighth part is a list of symbols and abbreviations.

9. The ninth part is a list of acknowledgments.

10. The tenth part is a list of references.

11. The eleventh part is a list of figures and tables.

12. The twelfth part is a list of appendices.

13. The thirteenth part is a list of footnotes.

14. The fourteenth part is a list of symbols and abbreviations.

15. The fifteenth part is a list of acknowledgments.

16. The sixteenth part is a list of references.

17. The seventeenth part is a list of figures and tables.

18. The eighteenth part is a list of appendices.

19. The nineteenth part is a list of footnotes.

20. The twentieth part is a list of symbols and abbreviations.

21. The twenty-first part is a list of acknowledgments.

22. The twenty-second part is a list of references.

23. The twenty-third part is a list of figures and tables.

24. The twenty-fourth part is a list of appendices.

25. The twenty-fifth part is a list of footnotes.

26. The twenty-sixth part is a list of symbols and abbreviations.

27. The twenty-seventh part is a list of acknowledgments.

28. The twenty-eighth part is a list of references.

29. The twenty-ninth part is a list of figures and tables.

30. The thirtieth part is a list of appendices.

writing of standard material, development of budgets, etc. The would-be principal investigator then needs to focus solely on the basic proposal writing that only s/he can do. After the award is received, this group would be available to assist principal investigators in the paperwork of appointments, procurement, travel, etc. A proposed organization for this structure is that each school would have a 'point' person through whom all requests are made (see directly above under Development of an Administrative Research Structure within Schools). The purpose of that proposal is to have a central focus in each school for organization, presentation, and monitoring of requests. **Cost** -- It is estimated that initially three positions would need to be added to the OSR staff, in addition to the reassignment of duties to a staff person in each school. Some of these positions for OSR might be created by centralization of existing capabilities from the schools, but with the understanding that no school lose any of its current services in this area. **Benefits**-- Two primary benefits will accrue from such a resource: 1) Quick response can be achieved on Requests for Proposals, especially those that require collaborations across Schools. 2) After awards are made, PI's can focus their efforts primarily on the research rather than spending inordinate amounts of time on administrative tasks associated with the presence of the grant or contract. **Goals supported** -- 3, 4, 5, and 6.

OBJECTIVES -- 1994-95 THREE-YEAR PLANNING AND BUDGETING PROCESS

Year #1 -- 1994-95 Period:

Priority 1: Tuition Awards Linked to Sponsored Graduate-Student Stipends (excluding the SMHS)

Objective -- In certain cases, funding agencies are willing to grant graduate-student stipend support with the proviso that the University waive or contribute the associated tuition. Such support from the funding agency is strictly for educational purposes (stipends do not require indirect costs) and enhancement of the particular scholarly activity. In turn, GW is enabled to attract first-rate graduate students who otherwise would not matriculate here. Currently, GW has in place six such arrangements with specific grants. It is proposed that such tuition matching be extended for all new research proposals (awards), not non-competitive renewals, at the discretion of the Associate Vice President for Research and Graduate Studies. **Cost** -- The cost to GW in the sense of budget accounting is the waived tuition. As an absolute upper limit, it is estimated that such a program might generate as many as four stipends a month (required to be at least \$10,000 per stipend per year to qualify for a tuition waiver of 18 hours maximum) associated with received grants or contracts. The dollar amount of tuition waived is not expected to exceed \$500,000. More importantly, this does not imply equivalent displaced tuition dollars, but rather the opportunity to attract additional first-rate graduate students. **Benefit** -- With such grant funds, the University enhances its graduate-level research activity and in many cases achieves a critical mass of individuals working towards a common research aim. Furthermore, it is likely to lead to more research grants and contracts. **Goals supported** -- 1, 2, 3, 4, 5, and 6.

Priority 2: Research Enhancement Incentive Awards (REIAs) (excluding the SMHS)

Objective -- The purpose of the REIAs is to expand the sponsored and non-sponsored scholarly activity within the University. This is achieved through the University-wide program of returning to the Principal Investigators, the Departments, and the Deans, an amount of money based on the sponsored activity in their schools or departments. The current formula is based on the direct costs, indirect costs recovered, and the amount of tuition moneys associated with the sponsored project. For sponsored activity during the 1992-93 AY, \$446K was so distributed. Currently, the source of these moneys is the unaugmented budget of the Office of Academic Affairs. Our proposal is that these funds be allocated as a separate line-item in the Office of Research and Graduate Studies, i.e., they should be separately funded independent of other Academic Affairs needs. Furthermore, funds for this program should be set up to allow flexibility for growth as sponsored research activity in the University increases.

Cost -- The proposal is that this should be a line item in the Office of Research and Graduate Studies and should grow at the rate of \$150K per year for three years. Assuming that sponsored research activity at the University will increase, the resulting total of \$450K will not be a sufficient yearly allocation in the long term. A recommended procedure to handle requirements beyond the allocation for a given year is that the excess be added from Academic Affairs with the provision that an appropriate addition be made to the base allocation in the following year to make up the difference. In this manner, the allocation might always be slightly below requirements, but at the same time, the gap each year would remain small.

Benefit -- This will free funds in Academic Affairs

for other scholarly and related requirements. **Goals supported --** The RELAs support goals 1, 3, 4, and 5.

Priority 3: Release Time Associated with Research Activity (excluding the SMHS)

Objective -- Current teaching-load requirements do not allow faculty enough time to conduct research and publish in a competitive manner with comparable institutions. The teaching load is normally a full nine hours per semester in addition to all the ancillary advising of students at both the undergraduate and graduate levels (including theses and dissertations) for many faculty who have a strong interest in increasing their scholarly productivity. Of those teaching-load reductions that exist, approximately 2/3 are not directly in support of research, and those that are related to research are, in many instances, buy-out reductions (see the May 1991 Faculty Senate Research Committee Report - p. 5). Research active faculty need course release time to write proposals, conduct research, and to present their findings at conferences, in scholarly journals, and through books. In order to have time for sponsored-research pursuits, it is sometimes argued that one must buy out time, i.e., provide funds for course release. This requirement makes it more difficult for us to compete for outside funding with many universities where teaching loads are lower for the purpose of fostering sponsored-research activity and scholarly activities in general. Furthermore, several funding agencies normally do not provide any portion of academic year salary, but have a policy of only considering requests for two months of summer salary. Despite the absence of buy-out funds, external funding of research brings to the University monies through both direct and indirect cost recovery which in turn offset salary costs. Therefore, it becomes essential that Deans and Department Chairs remain cognizant of the importance of course release

associated with scholarly-research commitments, particularly in the case of sponsored research to which the Deans and Department Chairs have assigned priority by virtue of having signed off on the original grant submission. **Cost --** The maximum cost involved is that of hiring part-time persons to cover course releases. The return is a higher level of productivity of the full-time faculty member with regard to his or her scholarly activity, which in turn generally leads to higher quality graduate programs and classroom teaching. **Benefit --** A measurable outcome is enhanced scholarly activity in connection with release time. **Goals supported --** 1, 2, 3, 4, 5, and 6.

Year #2 -- 1995-96 Period

Priority 1: University Facilitating Fund (excluding the SMHS)

Objective -- The aim is to increase the amount of money available for award to internal proposals each year. Currently, about 80 proposals are received annually. While the quality of the proposals has been increasing steadily, the total funding has remained static. Approximately 20 to 25 awards are made each year when it would be appropriate to make 30 to 35 awards. **Cost --** Ten more awards each year at an average of \$12K per award would require an additional \$120K. **Benefit --** The University Facilitating Fund serves three funding purposes: 1) as a source of research funds for new faculty; 2) as a source of funds for those faculty in disciplines where external funding is not readily available; 3) as a source of funds for those faculty in between external funding grants or contracts. Therefore, the ability to make more awards serves to stimulate significantly the scholarly productivity of the faculty. **Goals supported --** 1, 2, 3, 4, 5, and 6

Priority 2: Faculty Start-Up Funds (excluding the SMHS)

Objective -- In recruiting top faculty, it is often crucial to be able to offer start-up funds for scholarly activities. For faculty in the humanities, this may involve a top-of-the-line PC with associated peripheral equipment, whereas in the natural sciences this may involve sufficient funds to set up a laboratory. The provision of start-up funds is common practice at first-rate research universities. In addition, since it is critical for young faculty to attend and present scholarly papers at conferences, it is also recommended that newly appointed assistant professors be eligible for double the travel funds awarded to regular faculty for a period of three years. Any new faculty recruited should be provided with a PC at a minimum or equivalent funds for other research necessities. In today's market, a high-end PC with appropriate peripheral equipment will cost no more than \$4K, while a good quality work station may cost \$10K. At the same time, it is not unusual for a new chemistry professor to require \$100K to set up a competitive laboratory environment, with the understanding that this would result in substantial outside funding within a three to four year period. The aim is to have a pool of money available in the Office of Research and Graduate Studies that would be available each year to be allocated according to Deans' requests and program priorities. **Cost --** An initial fund of \$100K with growth of \$50K per year to a total of \$200K would seem appropriate. Unused funds in this area (if any) could then be used in the area of cost-sharing on equipment as required on some grant proposals or for summer support. **Benefit --** Faculty start-up funds are the main tool to attract top faculty while at the same time delivering the message that research is an important component of one's responsibility at GW. **Goals supported --** 1, 3, 4, 5, and 6.

Priority 3: Equipment Cost-Sharing Funds (excluding the SMHS)

Objective -- The aim here is to create a realistic line item in the Office of Sponsored Research budget for cost-sharing on equipment proposals. Currently, \$50K per year is available for this purpose. Usually, one or two proposals per year completely consume these available funds. As a consequence, GW is unable to compete in numerous instructional and research instrumentation grant competitions from the National Science Foundation, The Department of Energy, and several foundations. This has had the detrimental effect that some of our instructional and research laboratory equipment is not state-of-the-art, thus keeping us from being first-rate and competitive in these endeavors. **Cost** -- It is proposed that each year, over a four-year period, \$50K be added to the existing \$50K to build this fund to a total of \$250K per year. Moreover, it is recommended that it be made widely known that these funds are available to encourage faculty to compete in competitions that lead to new instructional equipment and new research instrumentation for the University. **Benefits** -- It helps assure that faculty are in a competitive position for instrumentation grants while increasing the probability that GW will have state-of-the-art instrumentation for almost all instruction and research. **Goals supported** -- 2, 3, 4, 5, and 6.

Year #3 -- 1996-97 Period

Priority 1: Research Enhancement Funds Program

Objective -- The original plan for this program was that the number of Centers or Institutes receiving enhancement moneys would grow to 10 or more over a period of three years. Approximately 3 1/2 years ago, this program commenced with six centers receiving a total of \$300K. This funding has remained level as

has the number of centers. **Cost** -- The plan would be to add \$100K per year for two years for a total cost of \$200K. In addition, it would be requested that the overall final budget of \$500K grow with the rate of inflation to cover salary increases, etc. **Benefit** -- The Research Enhancement Funds generally provide that extra funding necessary to permit selected groups to reach their pinnacle or to permit the initiation of a wholly new Center or Institute that otherwise would not come into being. Through such activity, the research "visibility" of the University rises. **Goals supported** -- 1, 3, 4, and 5.

Priority 2: Development of Central Facilities for Research Needs

Objective -- At present, there are dispersed facilities within departments or schools for such things as graphics needs, machine-shop work, and other specialized technical assistance. The proposal is that the administration work to inventory current capabilities in such areas and then determine whether they can be enhanced so as to make them available to all faculty. However, in those areas where there is a real deficit in skills, careful consideration should be given to developing general in-house facilities for electronics work and related needs in research endeavors. **Cost** -- At this stage, the cost is unknown, but can be estimated once the above inventory is complete. **Benefit** -- The availability of in-house facilities for general research support needs facilitates research and cuts the associated costs in both time and money. **Goals supported** -- 3, 4, and 5.

ADVISORY COUNCIL ON RESEARCH

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CHAIR

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Associate Vice President for Research and Graduate Studies

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Economics

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REPRESENTATIVES FROM THE SENATE RESEARCH COMMITTEE

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Physics

Leonard C. Maximon
Physics

Dewey D. Wallace represented during AY 93-94 by
Religion

Ravi Achrol
Marketing, Logistics,
and Operations Management

EX-OFFICIO MEMBERS

STAFF

Astra Bain-Dowell
Director, Medical Sponsored Projects

Helen Spencer
Director, Office of Sponsored Research

OBSERVER

Chris Filstrup
Assistant University Librarian for Collections

[Any inquiries about this resolution should be directed to Professor Walter K. Kahn, Chair, Committee on Professional Ethics and Academic Freedom, Ext. 47186.]

A RESOLUTION TO AMEND THE FACULTY CODE RELATING TO ADMINISTRATIVE NONCONCURRENCES WITH FACULTY RECOMMENDATIONS (94/5)

WHEREAS, the Faculty Code (Procedures for the Implementation of the Faculty Code, Section B.4.) pertaining to administrative concurrences provides for decision concerning an administrative nonconcurrence by the Board of Trustees; and

WHEREAS, at its discretion, the originating ~~appropriate~~ faculty unit may, however, elect to leave the decision to the President; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That Section B.4. of the Faculty Code be amended to add the following language, underlined, at the conclusion of that Section:

" . . . shall be transmitted to the Board of Trustees through the President, except that, at its discretion, the originating ~~appropriate~~ faculty unit may instead elect to leave the decision to the President."

Committee on Professional Ethics and Academic Freedom
November 30, 1994

Adopted, as amended, January 20, 1995

Bd approved 2/9/95

[Any inquiries about this resolution should be directed to Professor Joseph Pelzman, Chair, Committee on Fiscal Planning and Budgeting, Ext. 4-7108]

A RESOLUTION TO RECOMMEND THE ADOPTION OF A UNIFORM FINANCIAL PERFORMANCE MODEL (94/6)

WHEREAS, the fair and equitable allocation of financial resources is an essential component of robust University fiscal planning; and

WHEREAS, the Administration of the University periodically reviews the performance of all academic units, having both programmatic and fiscal implications for the University's faculty; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the uniform financial performance model attached to this resolution be adopted as the official mechanism by which the fiscal performance of all units of the University is reviewed; and
- (2) That the Faculty Senate Committee on Fiscal Planning and Budgeting and the Vice President and Treasurer regularly review and update this performance model as the need arises.

Approved by the Faculty Senate Committee on Fiscal Planning and Budgeting on January 20, 1995.

Adopted February 10, 1995

	Senate Fiscal Planning and Budgeting Committee							
REVENUE	SEAS	SBPM	CC/GSAS	GSEHD	ESIA	DUP	LAW CTR	
Undergraduate Tuition Revenue								
Academic Year Tuition Revenue								
Summer Tuition Revenue								
Total Undergraduate Tuition Revenue								
Less: School Majors Rev. Alloc. To Other Schools								
Non-School Majors Rev. Allocated To School								
Total Undergraduate Tuition Revenue								
Non-Degree Tuition Revenue								
Non-Degree On Campus								
Non-Degree Off Campus								
Non-Degree Virginia Campus								
EFL								
DUP Distribution								
Total Net Non-Degree Tuition Revenue								
Graduate Tuition Revenue								
On Campus Academic Year								
On Campus - Summer								
Total Graduate Tuition Revenue								
Less: School Majors Rev. Alloc. To Other Schools								
Non-School Majors Rev. Allocated To School								
Total Net Graduate Tuition Revenue								
Off Campus								
Virginia Campus								
Total Graduate								
Other Student Fees								
Total Tuition and Fees								
Entrepreneurial Programs								
Research Direct Cost Recovery								
Indirect Cost Recovery : School								
General								
Total Research								
Endowment Income								
Gifts								
Other Receipts								
TOTAL REVENUE								

		Senate Fiscal Planning and Budgeting Committee					
EXPENDITURES	SEAS	SBPM	CC/GSAS	GSEHD	ESIA	DUP	LAW CTR
Administration & Support							
On Campus Instruction							
Off Campus Instruction							
Virginia Campus Instruction							
Financial Aid							
Undergraduate Financial Aid							
Less: School Majors Aid Alloc. To Other Schools							
Non-School Majors Aid Alloc. To School							
Total Undergraduate Financial Aid							
Graduate Financial Aid							
Less: School Majors Aid Alloc. To Other Schools							
Non-School Majors Aid Alloc. To School							
Off Campus Financial Aid							
Virginia Campus Financial Aid							
Total Graduate Financial Aid							
Financial Aid From Restricted Funds							
Total Financial Aid							
Entrepreneurial Programs							
Research (Direct Only)							
Other Expenditures from Restricted Funds							
Capital Expenditures Not Reported Above							
TOTAL DIRECT EXPENDITURES							
INCOME/(LOSS) BEFORE ALLOCATED COSTS							
CONTRIBUTION TO UNIVERSITY OVERHEAD							
Utilities, Maintenance & Security Allocation							
Contribution to General University Overhead							

[Any inquiries about this resolution should be directed to Professor Walter K. Kahn, Chair, Committee on Professional Ethics and Academic Freedom, Ext. 4-7186]

A RESOLUTION REAFFIRMING THE FACULTY CODE PROVISIONS REGARDING CONFERRAL OF TENURE (94/7)

WHEREAS, the Faculty Code is an express part of the contractual agreement between each member of the faculty and The George Washington University; and

WHEREAS, the Procedures for the Implementation of the Faculty Code, Section B., entitled "Faculty Participation in Action Concerning Faculty Membership," Subsection 3 provides:

"Appointments and actions affecting renewal of appointments, promotion, tenure designation, and termination of service shall normally follow faculty recommendations. Departures from this standard shall be limited to those cases involving compelling reasons."

and

WHEREAS, on January 26, 1977, then Vice President Harold Bright issued a memorandum attempting to shift the responsibility of establishing compelling reasons for rejecting tenure recommendations made prior to the penultimate year of the normal probationary period from the administration to the faculty that recommended early tenure; **NOW, THEREFORE**

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the policy on "early tenure" contained in the January 26, 1977, memorandum from [then] Vice President Bright, which states that "... recommendations for early tenure will not be approved by my office. Exceptions will be made only for compelling reasons" is in conflict with the letter and spirit of the Faculty Code; and
- (2) That Faculty Senate requests the Administration to supersede the Bright memorandum with one consistent with the letter and spirit of the Faculty Code.

Committee on Professional Ethics and Academic Freedom
November 9, 1994

Withdrawn, March 10, 1995

The George Washington University
Academic Honor Code

PREAMBLE

We, the Students, Faculty, and Administration of The George Washington University, believing academic honesty to be central to the mission of the University, commit ourselves to its high standards and to the promotion of academic integrity. Commitment to academic honesty upholds the mutual respect and moral integrity that our community values and nurtures. To this end, we have established The George Washington University Academic Honor Code.

Article I - The Authority of the Honor Code

Section 1 - Jurisdiction of the Honor Code

- (a) The Honor Code shall have jurisdiction over the following schools within the University:
 - 1) the Columbian School of Arts and Sciences;
 - 2) the Elliott School of International Affairs;
 - 3) the Graduate School of Education and Human Development;
 - 4) the School of Business and Public Management;
 - 5) the School of Engineering and Applied Science;
 - 6) the Health Sciences program in the School of Medicine and Health Sciences.
- (b) This Code will apply to all programs and courses, both degree and non-degree, conducted by these schools, regardless of their location.

Section 2 - Repeal of Prior University Policies on Academic Dishonesty

Academic dishonesty policies of the George Washington University applicable to the aforementioned schools previous to the time of the passage of this Honor Code are hereby repealed and are for all intents and purposes null and void.

Article II - Basic Considerations

Section 1 - Definition of Academic Dishonesty

- (a) Academic dishonesty is defined as cheating of any kind, including misrepresenting one's own work, taking credit for the work of others without crediting them and without appropriate authorization, and the fabrication of information.
- (b) Common examples of academically dishonest behavior include, but are not limited to, the following:
 - 1) Cheating - intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise; copying from another student's examination; submitting work prepared in advance for an in-class examination; representing material prepared by another as one's own work; submitting the same work in more than one course without prior permission of both instructors; violating rules governing administration of examinations; violating any rules of a course or program relating to academic conduct.
 - 2) Fabrication - intentional and unauthorized falsification or invention of any information or citation in an academic exercise.
 - 3) Plagiarism - representing the words, ideas, or sequence of ideas of another as one's own in any academic exercise; failure to attribute quotation, paraphrase, or borrowed facts or information.
 - 4) Falsification and forgery of University academic documents - knowingly making a false statement, concealing material information, or forging a University official's signature on any University academic document or record. Such academic documents or records may include the application for admission, transcripts, add-drop forms, requests for advanced standing, requests to register for graduate-level courses, etc. (Falsification or forgery of non-academic University documents, such as financial aid forms, shall be considered a violation of the non-academic student disciplinary code.)
 - 5) Facilitating academic dishonesty - intentionally or knowingly helping or attempting to

[Any inquiries about this resolution should be directed to Professor Joseph L. Tropea, Co-Chair, Joint Committee of Faculty and Students, Ext. 4-6345]

A RESOLUTION REGARDING THE PROPOSED ACADEMIC HONOR CODE (94/8)

WHEREAS, there is currently a proposal for an Academic Honor Code being put forward by the Subcommittee on Academic Integrity of the Joint Committee of Faculty and Students, and;

WHEREAS, this Academic Honor Code will greatly enhance the academic reputation of the George Washington University, and;

WHEREAS, this Academic Honor Code will enhance the rights of students by holding students in various schools of the University to the same standards of academic integrity and to a uniform method of adjudication of cases of academic dishonesty, and;

WHEREAS, this Academic Honor Code will enhance the rights of faculty by providing them with institutional support for upholding the University standards of academic integrity, and;

WHEREAS, this Academic Honor Code will benefit students and faculty of the George Washington University by streamlining the bureaucracy involved when cases of academic dishonesty arise; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty Senate approves the proposed Academic Honor Code and recommends its swift adoption and implementation by the University.

Joint Committee of Faculty and Students
February 17, 1995

Adopted, as amended, March 10, 1995

The George Washington University
Academic Honor Code

PREAMBLE

We, the Students, Faculty, Librarians and Administration of The George Washington University, believing academic honesty to be central to the mission of the University, commit ourselves to its high standards and to the promotion of academic integrity. Commitment to academic honesty upholds the mutual respect and moral integrity that our community values and nurtures. To this end, we have established The George Washington University Academic Honor Code.

Article I - The Authority of the Honor Code

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 - 5) the School of Engineering and Applied Science;
 - 6) the Health Sciences program in the School of Medicine and Health Sciences.
- (b) This Code will apply to all programs and courses, both degree and non-degree, conducted by these schools, regardless of their location.

Section 2 - Repeal of Prior University Policies on Academic Dishonesty

Academic dishonesty policies of The George Washington University applicable to the aforementioned schools previous to the time of the passage of this Honor Code are hereby repealed and are for all intents and purposes null and void. The previous academic dishonesty policies of The George Washington University shall remain in force at the National Law Center.

Article II - Basic Considerations

Section 1 - Definition of Academic Dishonesty

- (a) Academic dishonesty is defined as cheating of any kind, including misrepresenting one's own work, taking credit for the work of others without crediting them and without appropriate authorization, and the fabrication of information.
- (b) Common examples of academically dishonest behavior include, but are not limited to, the following:
 - 1) Cheating - intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise; copying from another student's examination; submitting work prepared in advance for an in-class examination; representing material prepared by another as one's own work; submitting the same work in more than one course without prior permission of both instructors; violating rules governing administration of examinations; violating any rules of a course or program relating to academic conduct.
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The George Washington University Academic Honor Code
Adopted, as amended, by the Faculty Senate, 3/10/95

academic student disciplinary code.)

5) Facilitating academic dishonesty - intentionally or knowingly helping or attempting to help another to commit an act of academic dishonesty.

Section 2 - Reportage

- (a) It is the moral responsibility, but not sanctioned obligation, of each member of the George Washington University community to respond to suspected acts of academic dishonesty by: 1) consulting the individual(s) thought to be involved and encouraging them to report it themselves, and/or 2) reporting it to the instructor involved, and/or 3) reporting it to the Honor Council.
- (b) Reporting oneself after committing academic dishonesty is strongly encouraged and may be considered in determining sanctions.

Section 3 - Assignments and Examinations

- (a) Instructors are solely responsible for establishing academic assignments and methods of examination.
- (b) Instructors are encouraged to provide to students [on course syllabi] clear explanations of their expectations regarding the completion of assignments and examinations, including permissible collaboration.
- (c) Instructors are encouraged to choose assignments and methods of examination believed to promote academic honesty. Examples of these include careful proctoring of examinations and the constant creation of fresh exams. [Where appropriate, collaborative projects and unproctored examinations may be used.] Collaborative projects and unproctored examinations do not violate the practice of academic honesty. When assigning collaborative projects or using unproctored examinations, the instructor should explicitly state the expectations of performance for all participants.
- (d) Instructors are encouraged to provide opportunities for students to affirm their commitment to academic integrity in various settings, including examinations and other assignments. The following statement may be used for this purpose: "I, (student's name), affirm that I have completed this assignment/examination in accordance with the Honor Code."

Article III - The Honor Council

Section 1 - Mission of the Honor Council

- (a) The Honor Council will be responsible for promoting academic integrity and for administering all procedures in this Code.
- (b) Administrative and logistical support for the Honor Council shall be provided by the Office of the Associate Vice President for Academic Affairs. The office shall be the repository for records pertaining to the Honor Code and Honor Council.

Section 2 - Composition of the Honor Council and the Hearing Panels

- (a) The Honor Council shall have members from each of the participating schools. There will be six students and four faculty members from the Columbian School of Arts and Sciences. There will be four students and two faculty members from each of the following schools: the Elliott School of International Affairs, the Graduate School of Education and Human Development, the School of Business and Public Management, and the School of Engineering and Applied Science. There will be two students and one faculty member from the Health Sciences Program in the School of Medicine and Health Sciences. The terms of all members shall be one academic year. Members may reapply for additional terms. The process for identifying and selecting candidates to serve on the Honor Council shall be determined by the Implementation Team, as described in Article V, Section 2.
- (b) At the beginning of each academic year, five presiding officers will be elected by the full

membership of the Council, from among the student members, at a meeting convened by the Associate Vice President for Academic Affairs or a designate. Insofar as possible, these officers shall rotate responsibility for presiding over cases. The presiding officer will have no vote in the deliberations on establishing guilt or recommending a sanction at the hearing.

- (c) Hearing Panels selected from members of the Honor Council shall adjudicate all cases arising under this Code. The Associate Vice President for Academic Affairs or a designate will select and convene hearing panels as needed. A Hearing Panel shall be comprised of a presiding officer, two student members and two faculty members, [including the presiding officer,] as defined in Article III, Section 2, (b). Two of the members shall be from the home school of the respondent(s). One of the members shall be from the home school of the course.
- (d) Cases arising in the summer may be adjudicated in the summer, providing that members of the Honor Council are available. Otherwise they will be adjudicated during the following academic year.
- (e) All members of the Honor Council shall participate in training organized by the Associate Vice President for Academic Affairs or a designate.

Section 3 - Selection and Removal of Honor Council Members

- (a) During each spring semester, a Selection Committee will handle the nomination, application and selection processes of the Honor Council members who will serve in the next academic year. This committee shall be convened by the Associate Vice President for Academic Affairs or a designate, and will be comprised of the following members:
 - 1) the Faculty Co-Chair of the Joint Committee of Faculty and Students;
 - 2) the Student Co-Chair of the Joint Committee of Faculty and Students;
 - 3) the Chair of the Faculty Senate Committee on Educational Policy;
 - 4) the Chair of the Student Association Senate Academic Affairs Committee;
 - 5) the Chair of the Faculty Senate Executive Committee or a designate;
 - 6) the President of the Student Association or a designate.
- (b) The following criteria shall be used in the selection of the student members:
 - 1) must be full-time students enrolled in a degree-granting program of the School which they are representing;
 - 2) must have made satisfactory academic progress and be in good academic standing;
 - 3) may not have any disciplinary record or probation of any sort;
 - 4) may not hold any position, either elected or appointed, in the Student Association.
- (c) The following criteria shall be used in the selection of the Faculty members:
 - 1) must be full-time faculty members in the School that they are representing;
 - [2) may not have been the subject of any relevant disciplinary or grievance procedure;]
 - [3)] 2) may not be elected members of the Faculty Senate.
- (d) Members of the Honor Council who are charged with any violation of this Code or the Code of Student Conduct shall be suspended from participation during the pendency of the charges against them. Members found guilty of any violation of this Code or the Code of Student Conduct shall be disqualified from any further participation in the Honor Council. Faculty members involved in a pending case shall not participate on a Hearing Panel during the pendency of the charge.
- (e) The Honor Council, by a two-thirds vote of the membership, may remove a member for non-participation. Each Honor Council shall, at the beginning of its term, define an expectation of participation for its members.
- (f) Vacancies, as they occur, shall be filled by the Selection Committee.

Section 4 - Case Procedures

- (a) Charges involving violations of the Honor Code may be initiated by either faculty, students,

librarians or administrators. Any charges must be made [within twelve working days] as expeditiously as is reasonably possible (normally within twelve working days) from the discovery of the infraction. Charges may be initiated as follows:

1) A student may initiate a charge of academic dishonesty against another student, by [either] referring the case to the faculty member involved and/or to the Honor Council. If the case is brought directly to the Honor Council, for action by a Hearing Panel, then the Associate Vice President of Academic Affairs or a designate shall immediately notify the instructor of the involved course.

2) When a faculty member initiates a charge or is made aware of a violation which the faculty member determines to be substantive, the faculty member shall contact the Office of the Associate Vice President for Academic Affairs, in order to discover whether the student has ever been found guilty of a charge of academic dishonesty.

i) In first offense cases, the instructor [may] shall either act directly, in consultation with the Department Chair, or [may] refer the case to the Honor Council for action by a Hearing Panel. An instructor who acts directly must present the student with specific charges and a proposed sanction. Sanctions will be determined in accordance with Article III, Section 5 and Article II, Section 2 of this Code.

ii) If the faculty member acts directly then the accused student shall have the right to appeal directly to the Honor Council, for action by a Hearing Panel, should he or she disagree with the validity of the charge or the appropriateness of the sanction.

iii) Second offenses shall go directly to the Honor Council, for action by a Hearing Panel.

iv) If a faculty member is made aware of a violation which the faculty member determines not to be substantive, the faculty member shall notify the complaining student promptly.

3) All charges initiated by members of the administration or librarians shall go directly to the Honor Council, for action by a Hearing Panel.

- (b) All actions, on any level, shall be recorded with the Office of the Associate Vice President for Academic Affairs. This includes cases handled directly by instructors.
- (c) Deliberation of the hearing shall occur in two stages: the establishment of guilt and the recommendation of sanction. To find a respondent guilty, three-quarters of the voting panel members must agree. If the panel finds a respondent guilty, they shall also make a recommendation of sanction. A sanction other than expulsion can be recommended by three-quarters of the voting panel members. A sanction of expulsion can only be recommended by a unanimous vote of the voting panel members.
- (d) Reports of the Hearing Panel shall include a finding of fact and a determination of the guilt or innocence of the respondent. If the respondent is found guilty, then the report will also include a [recommendation] determination of sanction. Sanctions will be determined in accordance with Article III, Section 5 and Article II, Section 2 of this Code. This report shall be forwarded to the Vice President for Academic Affairs, who will then notify the respondent of the Hearing Panel's decision of guilt or innocence and [the final] the Panel's decision [of] as to sanction. However, if in the judgment of the Vice President for Academic Affairs the sanction decided upon by the Panel is significantly at variance with sanctions imposed in closely similar cases, the decision as to sanction may be remanded to the Panel for reconsideration and possible revision before being reported to the respondent. The complainant, appropriate Department Chair and Dean shall receive a copy of the Hearing Panel's report [and the Vice President's determination of sanction].
- (e) These proceedings should be concluded as expeditiously as possible. The Hearing Panels should strive to have proceedings concluded within seven weeks of the report of the violation. However, failure to do so shall not constitute a violation of this Code when extenuating circumstances reasonably excuse the delay.

Section 5 - Sanctions

- (a) The minimum sanction in first offense cases shall be failure of the assignment in question. The minimum sanction in repeat violation cases shall be failure of the course. For more serious offenses sanction may be suspension from the University for a specified, minimum

time [and] or expulsion from the University. Other sanctions may be appropriate for particular cases.

- (b) Sanctions of suspension or expulsion, as a result of academic dishonesty, may only be [recommended] determined by a Hearing Panel.
- (c) Attempts to commit acts prohibited by this Code may be punished to the same extent as completed violations.
- (d) Respondents found in violation of this Code may also be removed from certain University programs, in accordance with the regulations and bylaws of that program.
- (e) All sanctions except failure of the assignment in question shall be marked on the respondent's permanent record with the phrase "Academic Dishonesty". In the case of failure of the course, the notation shall remain on the record of the respondent for a minimum of two years. In the case of suspension or expulsion, the notation shall remain on the record of the respondent for a minimum of three years. After the minimum time has elapsed, the respondent may petition to the Vice President for Academic Affairs for the removal of the sanction notation from the permanent record. This provision shall not, however, prohibit any program, department, college or school of the University from retaining records of violations and reporting violations as required by their professional standards.

Section 6 - Hearing Panel Procedural Guidelines

- (a) All attendant procedures and records of the Honor Council and its Hearing Panels, from the initial charge to the final resolution, shall be strictly confidential.
- (b) Respondents and complainants shall be given notice of the hearing date and the specific charges against them at least five calendar days in advance and shall be accorded reasonable access to the case file, which will be retained in the Office of the Associate Vice President for Academic Affairs. The instructor of the involved course, appropriate academic Dean, Department Chair and the Dean of Students shall also receive notification of the pending charges within five calendar days of the hearing.
- (c) The presiding officer may request the attendance of witnesses upon motion of any panel member, or of either party. Only witnesses who can provide direct knowledge about the given case shall be called. Requests must be approved by the Associate Vice President for Academic Affairs or a designate, and shall be personally delivered or sent by certified mail, return receipt requested. University students and employees are expected to comply with such requests. Complainants and respondents shall be accorded an opportunity to question those witnesses who testify for either party at the hearing.
- (d) Hearings will occur in the absence of respondents who fail to appear after proper notice. In this instance, complainants will still be required to present his or her case.
- (e) Hearings will be closed to the public, without exception. Prospective witnesses, other than the complainant and respondent, shall be excluded from the hearing during the testimony of other witnesses. All parties and witnesses shall be excluded from Panel deliberations. Both the complainant and the respondent may be accompanied by an advisor. The role of these advisors shall be limited to consultation. Under no circumstances are advisors permitted to address the Panel or question witnesses. If the respondent's advisor is a lawyer, the University may have legal counsel present.
- (f) Hearings shall be conducted in accordance with the investigatory model of administrative hearings, in which the Hearing Panel assumes responsibility for the questioning of witnesses and the eliciting of relevant evidence. The purpose of the hearing is to establish the facts. The burden of proof shall be upon the complainant, who must establish the guilt of the respondent by a preponderance of the evidence. "Preponderance of the evidence" is that evidence, which when fairly considered, produces the stronger impression, has the greater weight, and is more

convincing as to its truth when weighed against the evidence offered in opposition.

- (g) Formal rules of evidence shall not be applicable in proceedings conducted pursuant to this Code. The presiding officer shall admit all matters into evidence that reasonable persons would accept as having probative value. Panel members may take into consideration matters that would be within the general experience of University students and faculty members.
- (h) The presiding officer shall exercise control over the proceedings to achieve orderly and timely completion of the hearing. Any person, including the complainant and respondent, who disrupts a hearing may be excluded by the presiding officer. The presiding officer shall direct the hearing through the following: statements from both the complainant and respondent, questioning and cross-examination of witnesses by both the complainant and respondent, the questioning of the complainant, respondent and any witnesses by panel members, and concluding statements by the complainant and respondent.
- (i) Hearings shall be tape-recorded. These tapes will be retained for a period of three years.
- (j) Any party may challenge a panel member on the grounds of personal bias. In such cases, panel members may be disqualified from the hearing by the Associate Vice President for Academic Affairs or a designate, or upon majority vote of the remaining members of the Panel, conducted by secret ballot.
- (k) Witnesses shall be asked to affirm that their testimony is truthful. False testimony will be subject to charges of intentionally providing false information to the University, pursuant to Part 11(f) of the Code of Conduct.
- (l) Affidavits shall only be admitted into evidence if signed by the affiant and witnessed by the Associate Vice President for Academic Affairs or a designate.

Section 7 - Appeals

Appeals of the decision of the Hearing Panel or of the sanction imposed by the Vice President for Academic Affairs shall only be based on new evidence or evidence of bias. [Appeals will be reviewed by the President of the University.] After a decision has been confirmed by the Vice President for Academic Affairs, either party may file, within three working days, an intention to appeal with the Office of the Associate Vice President for Academic Affairs. A petition of appeal must be filed within five working days of the declaration of intention. Appeals will be reviewed by the President of the University. The President will then make a decision on the appeal, based on the petition and the reports of the Hearing Panel and the Vice President for Academic Affairs.

Article IV - Amendments to the Honor Code

Section 1 - Amendments

- (a) Amendments to the Honor Code shall be referred to or initiated by either the Faculty Senate or the Student Association. In order for an amendment to pass, both must approve the measure with a simple majority vote.
- (b) Amendments will then be forwarded to the President of the University for confirmation and submission to the Board of Trustees.

Section 2 - Reports and Reviews

- (a) The Office of the Associate Vice President for Academic Affairs shall make an annual report to the Academic Affairs Committee of the Board of Trustees, Joint Committee of Faculty and Students, the Faculty Senate Educational Policy Committee, the Student Association Senate Academic Affairs Committee, and the Council of Deans on the work of the Honor Council.
- (b) The Honor Council may, from time to time, make reports and recommendations to the Faculty Senate, the Student Association Senate or the Joint Committee of Faculty and

Students about the state of the Honor Code.

- (c) The Joint Committee of Faculty and Students shall conduct a review of the Honor Code within five years of its implementation.

Article V - Implementation

Section 1 - Mission of the Implementation Team

- (a) The mission of the Implementation Team will be to plan for effective implementation of the Honor Code and to ensure that appropriate, adequate, and timely preparation is completed prior to the date of implementation.
- (b) The types of preparation essential to effective implementation include, but are not limited to, the following:
 - 1) developing ways to educate faculty and students about the importance of academic integrity and its impact on the University;
 - 2) publication and distribution of the Code itself;
 - 3) preparation of documents that relate the Code to practical student and faculty experience and that provide both groups with strategies for avoiding academic dishonesty;
 - 4) inclusion of the Honor Code in the recruitment of prospective students and faculty;
 - 5) planning for student, faculty and graduate teaching assistant orientation, guidance and training;
 - 6) working out practical details of implementation not explicitly covered in the Code, such as the organization of the Honor Council, the process for identifying candidates for the Honor Council, and the development of an application for Honor Council members;
 - 7) prepare a fuller listing of potential sanctions, and guidelines about the offenses for which they might be appropriate;
 - 8) planning ways to maintain a high level of visibility for the Code.

Section 2 - Composition of the Implementation Team

- (a) The Implementation Team will be convened by the Associate Vice President for Academic Affairs, upon adoption of the Honor Code.
- (b) The Implementation Team will be comprised of the following members:
 - 1) the Faculty Co-Chair of the Joint Committee of Faculty and Students;
 - 2) the Student Co-Chair of the Joint Committee of Faculty and Students;
 - 3) the Chair of the Faculty Senate Committee on Educational Policy;
 - 4) the Chair of the Student Association Senate Academic Affairs Committee;
 - 5) the Chair of the Faculty Senate Executive Committee or a designate;
 - 6) the President of the Student Association or a designate;
 - 7) the University's General Counsel or a designate;
 - 8) the Dean of the Columbian School of Arts and Sciences or a designate;
 - 9) the Dean of the Elliott School of International Affairs or a designate;
 - 10) the Dean of the Graduate School of Education and Human Development or a designate;
 - 11) the Dean of the School of Business and Public Management or a designate;
 - 12) the Dean of the School of Engineering and Applied Science or a designate;
 - 13) the Associate Dean of the Health Sciences Program in the School of Medicine and Health Sciences or a designate;
 - 14) the Dean of Students or a designate;
 - 15) any other members of the University the Associate Vice President for Academic Affairs or a designate may deem necessary.

A RESOLUTION ON FINAL EXAMINATION CONFLICTS (94/9)

WHEREAS, The George Washington University wants to optimize students' academic performance; and

WHEREAS, oral tradition intimates that if a student has three final examinations scheduled for the same day, that student is entitled to request that one of the three examinations be rescheduled; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That there be written regulation affirming ~~students' rights~~ the University policy permitting students to have one final examination rescheduled if they have three or more final examinations scheduled on the same day; and
- (2) That the rescheduling take place at least three weeks prior to the last day of classes and that, whenever possible, the make-up examination be rescheduled during the examination period; and
- (3) That the rescheduling be achieved in consultation with the instructors involved and that, whenever possible, the student selects which examination to reschedule.

Joint Committee of Faculty and Students
December 1994

Adopted, as amended, March 10, 1995

[Any inquiries about this resolution should be directed to Professor John Eftis, Chair, Committee on Administrative Matters as They Affect the Faculty, Ext. 4-6536]

A RESOLUTION ON A UNIVERSITY-WIDE POLICY ON NON-SMOKING (94/10)

WHEREAS, federal courts have ruled that regulations which ban smoking in all indoor workplaces are constitutional; and

WHEREAS, it is now generally recognized that cigarette tobacco smoking is hazardous to one's health, and that inhalation of cigarette tobacco smoke is also detrimental to health; and

WHEREAS, a policy for restriction of smoking exists within the University, nevertheless different units of the University, including the Hospital, Medical Center, Law School, University Club, J Street Food Court and the Gelman Library have found it necessary to institute smoking restrictions individually; and

~~WHEREAS, The George Washington University recognizes the legal right of those who choose to smoke, in that designated areas for smoking are, or will be made available;~~
NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

~~That it would be desirable to have the University adopt a uniform University-wide policy for on non-smoking whereby with the exception of specially designated smoke areas, smoking in classrooms and in all academic and administrative support facilities, including offices, halls and stairways, shall be prohibited, and that the University Administration shall take appropriate measures to ensure that the policy is implemented.~~

Committee on Administrative Matters as They Affect the Faculty
March, 1995

Adopted, as amended, April 14, 1995

A RESOLUTION OF APPRECIATION (94/11)

WHEREAS, Stefan O. Schiff will retire in June as Professor Emeritus of Zoology and of Genetics after 31 years of service to The George Washington University; and

WHEREAS, Stefan O. Schiff has earned the respect and gratitude of the entire University community; **NOW, THEREFORE**

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the following citation be issued:

In recognition of his contributions to The George Washington University during 31 years of service to his students and colleagues in the Biological Sciences of the Columbian School of Arts and Sciences; and

In recognition of his dedicated and principled efforts on behalf of academic excellence as Chair of the Biological Sciences Department for 10 years and Director of the Genetics Program for 16 years; and

In recognition of his independence of spirit, integrity, and perserverance in support and defense of the highest principles of the Academy; and

Especially in recognition of his 23 years of conscientious service as a member of the Faculty Senate and, specifically, for his service of 3 years on the Executive Committee, 9 years as Chair of the Educational Policy Committee, 5 years as Co-Chair of the Joint Committee of Faculty and Students, 5 years as Chair of the Athletics and Recreation Committee, 1 year as Chair of the Student Financial Aid Committee, and 1 year as Chair of the Committee on Administrative Matters as They Affect the Faculty;

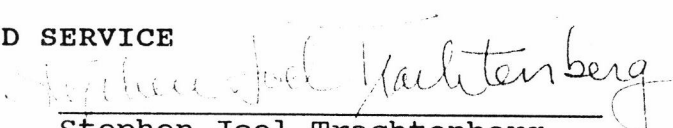
THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

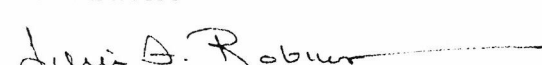
CITES

PROFESSOR STEFAN O. SCHIFF

FOR

DISTINGUISHED SERVICE


Stephen Joel Trachtenberg
President


Lilien F. Robinson
Chair, Executive Committee of
the Faculty Senate

April 14, 1995
Adopted by acclamation
April 14, 1995



A RESOLUTION OF APPRECIATION (94/12)

WHEREAS, Lilien F. Robinson has earned the deepest respect, eternal gratitude and affection of the University community; and

WHEREAS, her term of service on the Executive Committee of the Faculty Senate has reached its statutory limit; **NOW, THEREFORE**

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the following citation be issued:

In recognition of her contributions to The George Washington University during 30 years of service to her students, and colleagues as Teaching Fellow, Instructor, Assistant Professor, Associate Professor, and Professor of Art History; and

In recognition of her outstanding leadership in her eminent, devoted, and exceptional efforts as Chair of the Department of Art for 17 years; and

In recognition of her dedication to scholarship and high academic standards, and her patience, objectivity, eloquence, diplomacy, warmth and humanity in resolving complex issues on behalf of the University community; and

Especially in recognition of her exemplary and loyal service to the faculty; including 17 years as a member of the Faculty Senate, 7 years of service on the Executive Committee, 5 years as Chair of the Executive Committee, 6 years as Chair of the Committee on Appointment, Salary and Promotion Policies, and 3 years as Chair of the Committee on Administrative Matters as They Affect the Faculty;

THE FACULTY SENATE

OF

THE GEORGE WASHINGTON UNIVERSITY


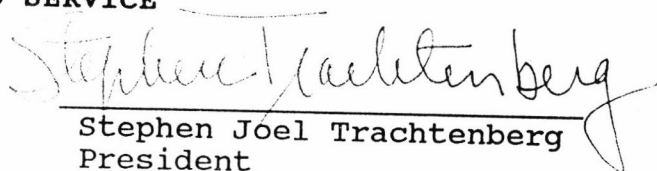
CITES

PROFESSOR LILIEN F. ROBINSON

FOR

DISTINGUISHED SERVICE

April 14, 1995
Adopted by acclamation
April 14, 1995

The seal is circular with a serrated edge. The outer ring contains the text "THE GEORGE WASHINGTON UNIVERSITY" at the top and "FACULTY SENATE" at the bottom. Inside the ring is a shield with a book and a quill. Below the seal is a ribbon with the text "APRIL 14, 1995".
A handwritten signature in cursive script, reading "Stephen Joel Trachtenberg".
Stephen Joel Trachtenberg
President

[Any inquiries about this resolution should be directed to Professor Walter K. Kahn, Chair, Committee on Professional Ethics and Academic Freedom, Ext. 47186]

A RESOLUTION REGARDING A POLICY ON CONFLICT OF INTEREST IN
FEDERALLY FUNDED RESEARCH (94/13)

WHEREAS, the specific circumstances underlying the urgency for type of Policy on Conflict of Interest in Federally Funded Research document before us now are explicit in the draft regulation of the National Science Foundation, "Investigator Financial Disclosure Policy," now scheduled to become effective June 28, 1995 [See document]; and

WHEREAS, the formulation of a new University-wide policy on conflicts of interest applicable to all University personnel and not limited to the area of research will require additional time and study, the Committee on Professional Ethics and Academic Freedom has recommended limiting the implementation of the present conflict of interest policy document to FACULTY and RESEARCHERS engaged in, or submitting applications for, research funded by the National Science Foundation and other federal agencies which might institute similar requirements; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty Senate recommends the adoption of the **Policy on Conflict of Interest in Federally Funded Research** as formulated by the Advisory Council on Research and amended by the Committee on Professional Ethics and Academic Freedom.

Committee on Professional Ethics and Academic Freedom
April 26, 1995

Resolution adopted, approving the Policy on Conflict of Interest in Federally Funded Research, as further amended by the Faculty Senate April 28, 1995.

SUBSTITUTE

The George Washington University

**Policy on Conflict of Interest
in
Federally Funded Research**

Preamble and Declaration of Purpose

Potential conflicts of interest are a universal fact of life; they occur when the fulfillment of an obligation, commitment, or responsibility makes it difficult or impossible to fulfill other obligations, commitments, or responsibilities. They obviously may differ in extent or degree. The goal of any institution cannot be to eliminate all conflicts of interest. Rather it should be to define those conflicts of interest which directly or indirectly involve the institution and to establish boundaries within which conflicts of interest are tolerable and beyond which they are intolerable.

A cornerstone for a statement of policy on conflict of interest involving the University must include the principle that "... faculty shall have a primary responsibility of devoting their time, thought, and energy to service of the University" [Faculty Code III F]. At the same time and of no less importance is a *FACULTY MEMBER's* responsibility to further her/his own professional development and the goals of her/his professional discipline. Under normal circumstances, a *FACULTY MEMBER's* participation in the activities of governmental, industrial, and professional institutions is consistent with the academic interests of the University as well as those of the *FACULTY MEMBER*.

As an important component of its education, research, and public service activities, the University encourages relationships with outside parties in both the private and public sectors. Concurrently, the University strives to recruit and retain individuals with the creative abilities who can contribute to technology transfer and interactions with both the private and public sectors consistent with their primary commitment to the University. The growing partnership between the University and these entities creates new possibilities for conflict of interest. At the same time, the University benefits from research activities supported by grants, contracts, or gifts from both private and public sources, as well as from professional interactions, including consulting arrangements, between faculty and public and private entities. Such activities tend to enhance the research environment of the University in such a way as to raise the student body's general educational experience and potential for employment. Technology transfer, whether in the form of technology licensing, faculty consulting, business assistance, or by other means, and whether connected with the private or public sectors, is essential for meeting the needs of society today. The University is committed to being a full participant in helping society at large meet its needs of today and tomorrow.

*Amendments indicated by double lines

As the University plays such a role in society, constant accountability and amenability to public scrutiny must be present. This requires that the University and its *FACULTY MEMBERS* or *RESEARCHERS* commit themselves to conduct of the highest integrity and ethics. For example, the value of the results from privately or publicly sponsored research must not be compromised by any *FINANCIAL INTEREST* that will, or may be reasonably expected to, bias the design, conduct, or reporting of the research. It is not the intent of this policy to regulate or eliminate all circumstances of conflicts of interest. Rather, the purpose of this policy is to provide guidance to faculty in maintaining a reasonable balance between competing interests, to minimize reporting and other burdens on investigators, and to give the University the means, consistent with Federal requirements, to identify and manage conflicts of interest that could bias research outcomes. The University therefore requires all *FACULTY MEMBERS* and *RESEARCHERS* engaged in, or submitting applications for, research funded by any Federal entity with financial disclosure requirements for investigators to follow guidelines and procedures as outlined under 'Implementation' of this University Policy on Conflict of Interest; other *FACULTY* and *RESEARCHERS* are not subject to the detailed requirements set forth in the section dealing with 'Implementation'.

Conflicts of Interest and External Relationships

A. Definition of Terms

- a) *FACULTY MEMBER* means any individual possessing either a full-time or part-time academic appointment at the University as defined in the Faculty Code.
- b) *RESEARCHER* means all those individuals, e.g., staff and students, conducting, authorizing expenditures for, or negotiating terms for conducting research through Federal funding and/or associated with and responsible for Federally funded *SPONSORED RESEARCH* at the University.
- c) An *ASSOCIATED ENTITY* of a *FACULTY MEMBER* or *RESEARCHER* means any trust, organization or enterprise other than the University or any affiliated Hospital over which the *FACULTY MEMBER* or *RESEARCHER*, alone or together with her/his *FAMILY*, exercises a *FINANCIAL INTEREST*.
- d) *BUSINESS* means any corporation, partnership, sole proprietorship, firm franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other non governmental legal entity organized for profit, not-for-profit, or charitable purposes, but excluding the University, any affiliated Hospital, or any other entity controlled by, controlling, or under common control with the University or an affiliated Hospital.
- e) *EXECUTIVE POSITION* refers to any position which includes responsibilities for a significant segment of the operation or management of a *BUSINESS*.

f) The *FAMILY* of a *FACULTY MEMBER* or *RESEARCHER* includes her/his spouse, minor children, or other persons living in the same household, but in particular if living on the same household budget.

g) A *FINANCIAL INTEREST* is an interest in a *BUSINESS* consisting of: (1) any stock, stock option, or similar ownership interest in such *BUSINESS*, but excluding any interest arising solely by reason of investment in such *BUSINESS* by a mutual, pension, or other institutional investment fund over which the *FACULTY MEMBER* or *RESEARCHER* does not exercise control; or (2) receipt of, or the right or expectation to receive, any income from such *BUSINESS*, whether in the form of a fee (e.g., consulting), salary, allowance, forbearance, forgiveness, interest in real or personal property, dividend, royalty derived from the licensing of technology or other processes or products, rent, capital gain, real or personal property, or any other form of compensation, or any combination thereof. For purposes of this policy, a *FINANCIAL INTEREST* exists when the interest in a *BUSINESS* by a *FACULTY MEMBER* or *RESEARCHER* and/or by a *FAMILY* member exceeds \$5,000 in annual income of all types, equity or ownership interest valued at 5%, or \$5,000, or more, or commitment for any future royalties. A *FINANCIAL INTEREST* also exists when a *FACULTY MEMBER* or *RESEARCHER* or a *FAMILY* member holds an *EXECUTIVE POSITION* in a *BUSINESS*.

h) *PARTICIPATE* means to be part of the described activity in any capacity, including but not limited to serving as the principal investigator, co-investigator, research collaborator, or provider of direct services or patient care, as well as overseer of any expenditures. This term is not intended to apply to individuals who provide primarily technical support or who are purely advisory, with no access to the data (i.e., control over its collection or analysis) or, in the case of clinical research, to the trial participants, unless they are in a position to influence the study's results or have privileged information as to the outcome.

i) *SPONSORED RESEARCH* means research, training, and instructional projects involving funds, materials, or other compensation originating from Federal sources under agreements which contain any of the following: The agreement binds the University or an affiliated institution to a line of scholarly or scientific inquiry specified to a substantial level of detail; a line-item budget is involved; financial reports are required; the award is subject to external audit; unexpended funds must be returned to the sponsor at the conclusion of the project; or the agreement provides for the disposition of either tangible or intangible properties that may result from the activity.

B. Types of Conflicts

Conflicts of Interest:

The following material is to serve as descriptive, but not all inclusive, background relating to extramural relationships subject to this policy.

A conflict of interest is deemed to occur when an external or internal relationship directly or indirectly affects the *FINANCIAL INTEREST* of the *FACULTY MEMBER* or *RESEARCHER*, any *FAMILY* member, or any *ASSOCIATED ENTITY*.

The University assumes that the possibility for conflicts of interest will occur on a regular basis owing to the nature and scope of the activities in which *FACULTY MEMBERS* or *RESEARCHERS* normally engage. However, it is essential that potential significant conflicts of interest be disclosed and reviewed by the University. Disclosure permits the University to make an informed judgment about appropriate steps to follow.

Potential conflicts of interest occur when certain behaviors of a *FACULTY MEMBER* or *RESEARCHER* are coupled to the existence of certain external relationships. As guidance for this policy, examples are given below with a division into three categories: **Category I** -- Allowable combinations of activities and external relationships; **Category II** -- Activities that are ordinarily allowable following disclosure with oversight procedures if necessary; **Category III** -- Activities that may be allowable with oversight after disclosure, review, and approval.

Any combination of activity and external relationships not specifically given in one of the three categories that a *FACULTY MEMBER* or *RESEARCHER* reasonably might construe as a potential conflict of interest should be reported in writing to her/his department chair, department head, center/institute director, or dean, if the latter is the direct line of responsibility. The department chair or head, center/institute director, or dean will determine whether the relationship represents an activity requiring further review, and will notify the *FACULTY MEMBER* or *RESEARCHER* accordingly in writing..

Category I -- Allowable combinations of activities and external relationships.

- a) A *FACULTY MEMBER* or *RESEARCHER* receiving royalties and honoraria for published scholarly works, occasional lectures, speeches, and other writings or creative works.
- b) A *FACULTY MEMBER* or *RESEARCHER* receiving honoraria for serving as a reviewer or serving on review panels for academic, governmental, or not-for-profit organizations.
- c) A *FACULTY MEMBER* or *RESEARCHER* receiving royalties under the University's or another academic institution's royalty-sharing policies, but the *FACULTY MEMBER* or *RESEARCHER* does not have any other relationship with the royalty-granting entity. Details on the University's policy can be found in the Patent Policy document.

Category II -- Activities that are ordinarily allowable following disclosure with oversight procedures if necessary.

Research Activities:

- a) A *FACULTY MEMBER* or *RESEARCHER PARTICIPATING* in research on a technology, process, or product developed in whole or in part by that *FACULTY MEMBER* or *RESEARCHER* from which she/he, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* is entitled to receive royalties from an existing *BUSINESS* under the University's or another academic institution's royalty-sharing policies, but has no other *FINANCIAL INTERESTs* in the project.
- b) A *FACULTY MEMBER* or *RESEARCHER* assigning students, postdoctoral fellows, or other trainees to research projects in which the *FACULTY MEMBER* or *RESEARCHER*, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* is entitled to receive royalties from an existing agreement with a *BUSINESS* under the University or another academic institution's royalty-sharing policies, but has no other *FINANCIAL INTERESTs* in the project.

Instructional Projects:

- c) A *FACULTY MEMBER* or *RESEARCHER* assigning students, trainees, or other staff to instructional projects, for example, design projects, in which the *FACULTY MEMBER* or *RESEARCHER*, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* has a *FINANCIAL INTEREST*.

Category III -- Activities that may be allowable with oversight only after disclosure, review, and approval.

Research Activities:

- a) A *FACULTY MEMBER* or *RESEARCHER PARTICIPATING* in research on a technology owned by or contractually obligated to a *BUSINESS* in which the *FACULTY MEMBER* or *RESEARCHER*, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* has a consulting relationship or holds a *FINANCIAL INTEREST* other than receipt of University or Medical Center *SPONSORED RESEARCH* support or royalties consistent with the University's Patent Policy.
- b) A *FACULTY MEMBER* or *RESEARCHER* assigning students, postdoctoral fellows, or other trainees to research projects in which the *FACULTY MEMBER* or *RESEARCHER*, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* has a consulting relationship or holds a *FINANCIAL INTEREST*, other than receipt of University or Medical Center *SPONSORED RESEARCH* support or royalties consistent with the University's Patent Policy.
- c) A *FACULTY MEMBER* or *RESEARCHER* receiving University or Medical Center *SPONSORED RESEARCH* support from a *BUSINESS* in which she/he, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* holds a *FINANCIAL INTEREST*.

d) A *FACULTY MEMBER* or University *RESEARCHER* conducting research externally that would normally be conducted within the University.

Board Memberships:

e) A *FACULTY MEMBER* or *RESEARCHER* serving on the Board of Directors or Scientific Advisory Board of a *BUSINESS* from which that *FACULTY MEMBER* or *RESEARCHER* or a member of her/his *FAMILY* receives University or Medical Center *SPONSORED RESEARCH* support or with which the University has a substantial contractual relationship known to the *FACULTY MEMBER* or *RESEARCHER*.

Committee PARTICIPATION:

f) A *FACULTY MEMBER* or *RESEARCHER PARTICIPATING* in the consideration by a governmental agency of a technology which is owned by or contractually obligated to a *BUSINESS* in which that *FACULTY MEMBER* or *RESEARCHER*, a *FAMILY* member, or an *ASSOCIATED ENTITY* has a *FINANCIAL INTEREST*.

External Activities:

g) A *FACULTY MEMBER* or *RESEARCHER* holding an *EXECUTIVE POSITION* in a for-profit *BUSINESS* engaged in commercial or research activities directly related to her/his University responsibilities.

h) A *FACULTY MEMBER* or *RESEARCHER* making clinical or other referrals within the scope of her/his University or Medical Center duties to a *BUSINESS* in which such *FACULTY MEMBER* or *RESEARCHER*, a *FAMILY* member, or an *ASSOCIATED ENTITY* has a *FINANCIAL INTEREST*.

i) A *FACULTY MEMBER* or *RESEARCHER* possessing a *FINANCIAL INTEREST* in a *BUSINESS* which competes with the services provided by the University or Medical Center with which the *FACULTY MEMBER* or *RESEARCHER* is affiliated.

Public Disclosure:

j) A *FACULTY MEMBER* or *RESEARCHER* publishing or formally presenting research results, or providing expert commentary on a subject without having previously disclosed or simultaneously disclosing any *FINANCIAL INTEREST* relating to such results or such subject.

Administrative Responsibilities:

k) A *FACULTY MEMBER* or *RESEARCHER* taking administrative action within the University or Medical Center which is beneficial to a *BUSINESS* in which she/he has a *FINANCIAL INTEREST*.

Internal University Conflicts:

Though the examples given above describe conflicts a *FACULTY MEMBER* may voluntarily face, the administration of the University must be cognizant of and ready to resolve conflicts that may arise due to pressures from within the University. *FACULTY* are expected to disclose such conflicts. Three examples follow:

- a) A *FACULTY MEMBER* who has summer research support might inadvertently be asked by her/his Department Chair to devote substantial time to non research activities, e.g., curriculum revision, and still be expected to sign a declaration, e.g., a government form, that 100% of her/his time was spent on the research project.
- b) In its effort to increase the financial return of the institution, the University might encourage the pursuit of activities that will generate income from service-oriented contracts at the expense of freely chosen disinterested research and scholarship.
- c) The University might seek to restrict a *FACULTY MEMBER* or *RESEARCHER* from publishing or formally presenting research results, or providing expert commentary on a subject, because of a University *FINANCIAL INTEREST* relating to such results or such subject.

Implementation

Successful implementation of this policy assumes a shared responsibility by all *FACULTY MEMBERs*, *RESEARCHERs*, and the administration of the University. *FACULTY MEMBERs* and *RESEARCHERs* are expected to report and to seek guidance concerning significant potential conflicts of interest in order to ensure that the interests of the *FACULTY MEMBER* or *RESEARCHER*, her/his profession, and the University are best served. To aid individuals in this process, a set of disclosure guidelines are given below. Once proposed activities have been administratively reviewed, including a plan of action developed and approved, University administration has the responsibility to defend the activity so long as the *FACULTY MEMBER* or *RESEARCHER* follows the plan of action, the disclosure guidelines, general University policies, and the law.

A. Disclosure Guidelines

Disclosure of *FINANCIAL INTERESTs*: Anytime a *FACULTY MEMBER* or *RESEARCHER* plans to initiate an activity that falls under **Categories II or III** of this policy, the *FACULTY MEMBER* or *RESEARCHER* is expected to disclose the activity in accordance with Part **B.** of this implementation section and, when required, to obtain written approval prior to beginning the activity. For purposes of this policy, disclosure is required when that interest in a *BUSINESS* by a *FACULTY MEMBER* or *RESEARCHER*, or by a *FAMILY* member, exceeds \$5,000 in annual income of all types, equity or

ownership interest valued at 5%, or \$5,000, or more, or commitment for any future royalties. Disclosure is also required when a *FAMILY* member holds an *EXECUTIVE POSITION* in a *BUSINESS*.

Disclosure when submitting a proposal for SPONSORED RESEARCH: All *FACULTY MEMBERS* or *RESEARCHERS* must disclose relevant *FINANCIAL INTERESTS* on the Investigator "Significant Financial Interest Disclosure" form (Appendix A) at the time of their application for research support or technology transfer. Funding for the project will not be accessible to the *FACULTY MEMBER* or *RESEARCHER* until the disclosure of *FINANCIAL INTEREST* is reviewed and approval is given, and other appropriate measures have been implemented in accord with this policy.

Disclosure when involved with review or advisory activities: All *FACULTY MEMBERS* or *RESEARCHERS* are expected to temporarily excuse themselves from any University committee or review process that is considering an activity in which they have a *FINANCIAL INTEREST*.

Disclosure when involved with technology transfer: When *FACULTY MEMBERS* or *RESEARCHERS* are involved with transferring technology through patents or licensing to a *BUSINESS* in which the *FACULTY MEMBER* or *RESEARCHER* has a *FINANCIAL INTEREST*, the *FACULTY MEMBER* or *RESEARCHER* is expected to disclose the *FINANCIAL INTEREST* to the Associate Vice President for Research and Graduate Studies.

Disclosure to external entities: *FACULTY MEMBERS* or *RESEARCHERS* are expected to disclose relevant *FINANCIAL INTERESTS* to sponsors of research and in reporting, by either written or oral communication, research results.

B. Process

It is assumed that minor conflicts shall be resolved primarily through individual discretion or informal administrative adjustment. If a *FACULTY MEMBER* or *RESEARCHER* is engaged or expects to become engaged in an activity that might lead to a conflict of commitment or interest, she/he is expected to consult with appropriate administrative officers, i.e., the Department Chair or Head, or equivalent, and (if necessary) the Dean or Dean's designate. In addition, a Conflicts Consultation Committee shall be established in order to afford administrators and *FACULTY MEMBERS* or *RESEARCHERS* the opportunity of consultation and, in the event of a disagreement, peer review. It shall be the responsibility of the affected parties to handle questions (whether consultative or probative) in a timely and confidential manner.

I. Establishment of the Conflicts Consultation Committee

A Conflicts Consultation Committee of at least five members shall be established within each School of the University. Its members shall be broadly representative of the disciplines and units within the School, and shall be elected by the faculty of each School.

II. Functions of the Conflicts Consultation Committee

The Committee shall have both a consultative (prospective) function and a probative (reactive) function:

a) Consultative: Consultative matters -- defined here as guidance on questions regarding whether a prospective activity may be in violation of this policy -- may be brought to the committee in two primary ways. First, consultation normally shall begin through administrative channels and may be referred by the Dean to the committee for its advice. Second, a *FACULTY MEMBER* or *RESEARCHER* may seek the advice of the Committee if administrative consultation ends in disagreement.

In either case, whenever the Committee finds that no conflict or potential for conflict exists in a prospective activity, the Committee shall keep a written record of its consultative activity and shall inform the appropriate parties in writing, including the Dean.

Whenever consultation results in the recommendation that a *FACULTY MEMBER* or *RESEARCHER* refrain from the activity on which consultation was sought, the committee shall report in writing that finding to the *FACULTY MEMBER* or *RESEARCHER* involved, to the appropriate administrative officers, and the Vice President for Academic Affairs.

Whenever a *FACULTY MEMBER* or *RESEARCHER* or Dean disagrees with the Committee's consultative advice, she/he may appeal the Committee's advisory decision to the University Panel (see Section III, below).

In addition, *FACULTY MEMBERS* or *RESEARCHERS* may consult confidentially and informally with the Committee; however, such consultations shall be considered advisory only and non binding.

b) Probative: Probative matters -- defined here as questioning whether on-going or completed activity may be in violation of this policy -- may be brought to the Committee in either of two ways. First, any disagreement regarding a probative matter that arises between the Dean and a *FACULTY MEMBER* or *RESEARCHER*, regardless of who initiated the question, may be referred to the Committee for review. Second, any member of the University community may bring directly to the Committee's attention a probative matter alleged to be in violation of this policy. A *FACULTY MEMBER* or *RESEARCHER* whose activity has been questioned shall be entitled to know the identity of the person(s) bringing such a question(s) to the Committee as well as the full extent of the question(s).

Although the Committee shall have no power to affix blame, assign penalties, or require action, it may inquire in writing of *FACULTY MEMBERS* or *RESEARCHERS* whose activities have been questioned and the *FACULTY MEMBERS* or *RESEARCHERS* in turn have the responsibility to respond to the inquiry.

Upon investigation, the Committee shall make a written report to the Dean and the Vice President for Academic Affairs either of whom, in turn, may refer the matter to the University Conflicts Resolution Panel (see below). Copies of this report shall be given to the individual who raised the question before the Committee, and to the *FACULTY MEMBER OR RESEARCHER* whose activities have been questioned. The report shall state the nature of the complaint and the results of the Committee inquiry.

III. Establishment of a University Conflicts Resolution Panel

A University Conflicts Resolution Panel shall be constituted of two members from each School's Conflicts Consultation Committee, appointed by the Vice President for Academic Affairs in consultation with the Deans of each School. Members from the School originating a matter shall recuse themselves.

IV. Functions of the University Conflicts Resolution Panel

The Panel shall have both an appeals and a recommending function:

a) The Panel shall hear appeals submitted in writing, containing such detail and accompanied by such supporting materials as the Panel shall reasonably require,

--from any *FACULTY MEMBER* or *RESEARCHER* who sought guidance from a School Committee and is dissatisfied with its advice;

--from any *FACULTY MEMBER* or *RESEARCHER* whose activities were investigated by a School Committee and is dissatisfied with the result stated in the Committee's report;

--from the Dean or any member of the University community who raised a question of conflict before a School Committee and is dissatisfied with the result stated in the Committee's report; or

--at the request of the Vice President for Academic Affairs in any of the foregoing instances.

b) The Panel shall make recommendations under the following guidelines:

--The University Panel shall give due deference to the report of the Conflicts Consultation Committee and may affirm the recommendation(s) contained in that report.

--The Panel may, if appropriate, consult with third parties.

--The Panel shall render a report to the Vice President for Academic Affairs that contains the agreed upon resolution of the matter, or conveys the lack of agreement between the Panel and the individual whose actions or proposed actions are brought into question.

--The Panel shall recommend to the Vice President for Academic Affairs any further action it deems necessary or appropriate.

V. Resolution of Conflicts of Interest

Decisions on the resolution of conflict-of-interest matters then rest with the Vice President for Academic Affairs after receipt by her/him of the University Conflicts Resolution Panel's report.

C. Record Retention

The Office of Sponsored Research and the Medical Center Office of Sponsored Projects will maintain records of all financial disclosure forms filed and all actions taken by the University, on an award-by-award basis, for at least three years beyond the termination of the award or until resolution of any action by the University or governmental agencies involving the records. All records will be maintained in a manner to protect confidentiality. Each Dean will maintain the records relating to all disclosures originating from her/his School for at least three years.

D. Reporting of Previously Approved Relationships

Each Dean annually will submit a written report to the Vice President for Academic Affairs summarizing all requests and actions regarding **Category II** and **Category III** external relationships. In addition, each Dean must report on ongoing **Category II** and **Category III** relationships to ensure that management and oversight activities are being carried out as required. The Vice President for Academic Affairs will forward these reports to the Associate Vice President for Research and Graduate Studies who may convene a small subcommittee of the Advisory Council on Research to review the activities for consistency. On behalf of the subcommittee, the Associate Vice President for Research and Graduate Studies will communicate to the Vice President for Academic Affairs its recommendations in writing, who will in turn communicate in writing with the Deans as required. The Associate Vice President for Research and Graduate Studies will consult with appropriate faculty governance committees regarding proposed changes in the operating principles and procedures.

E. Compliance

The University expects its *FACULTY MEMBERS* and *RESEARCHERS* to comply fully and promptly with the policy, including the requirements of disclosure. Instances of

The first step in the process is to identify the problem. This is done by gathering information about the problem and its causes. Once the problem is identified, the next step is to develop a plan of action. This plan should outline the steps that need to be taken to solve the problem. The plan should also identify the resources that will be needed to implement the plan. Once the plan is developed, the next step is to implement the plan. This involves carrying out the steps outlined in the plan. Finally, the last step is to evaluate the results of the plan. This involves comparing the actual results with the expected results and determining whether the plan was successful.

4. Evaluation of the results of the plan. This involves comparing the actual results with the expected results and determining whether the plan was successful. If the plan was successful, then the problem has been solved. If the plan was not successful, then the problem has not been solved and the process must be repeated.

Conclusion

The Office of Management Services has been successful in its efforts to improve the efficiency of the County's operations. This has been achieved through the implementation of a number of key initiatives, including the development of a strategic plan, the implementation of a performance management system, and the implementation of a financial management system. These initiatives have resulted in a number of significant improvements, including a reduction in the County's operating costs, an increase in the County's revenue, and an improvement in the County's service to its citizens.

Appendix A: List of Key Initiatives

Each year, the County's Office of Management Services identifies a number of key initiatives that it plans to implement. These initiatives are designed to improve the efficiency of the County's operations and to reduce the County's operating costs. The following is a list of the key initiatives that the Office of Management Services has identified for the current year:

- 1. Develop a strategic plan for the County.
- 2. Implement a performance management system.
- 3. Implement a financial management system.
- 4. Develop a human resources management system.
- 5. Develop a information technology management system.
- 6. Develop a public works management system.
- 7. Develop a health and safety management system.
- 8. Develop a community development management system.
- 9. Develop a cultural and recreation management system.
- 10. Develop a housing and community development management system.

Appendix B: List of Key Personnel

The following is a list of the key personnel who are involved in the implementation of the County's key initiatives:

- 1. [Name]
- 2. [Name]
- 3. [Name]
- 4. [Name]
- 5. [Name]
- 6. [Name]
- 7. [Name]
- 8. [Name]
- 9. [Name]
- 10. [Name]

deliberate breach of this policy, including failure to file or knowingly filing an incomplete, erroneous, or misleading disclosure form, violations of guidelines, or failure to comply with proscribed monitoring procedures, will be adjudicated in accordance with applicable disciplinary policies and procedures of the Medical Center and the University. Sanctions against a faculty member may be imposed only consistent with the Faculty Code of the George Washington University and the Procedures for Implementation of the Faculty Code. Possible sanctions might include the following:

- Letter of admonition;
- Ineligibility of the *FACULTY MEMBER* or *RESEARCHER* for grant applications, Institutional Review Board (IRB) approval, or supervision of graduate students;
- Nonrenewal of appointment;
- Dismissal.

F. Existing Relationships

As this policy constitutes a new policy for *FACULTY MEMBERS* and *RESEARCHERS*, it is expected that there exist relationships that may need to be modified. Consequently, in order to implement the policy, *FACULTY MEMBERS* and *RESEARCHERS* must disclose all existing external relationships that fall under **Categories II and III** above to their Department Chair or equivalent for review. This provision also applies to all new *FACULTY MEMBERS* and *RESEARCHERS* hired after this policy is adopted.

Acknowledgments and Background: This policy on conflict of interest is predominantly modeled after those of Harvard Medical School and the University of Minnesota which parallel each other closely both in format and wording. In some sections, the wording of the present document is identical or very closely paraphrased to that of Harvard's and Minnesota's. Overall, the drafting of the document was aided by knowledge of the content of similar policies from Auburn University, Penn State University, and Vanderbilt University. Our aim has been to retain as much of the original GW Faculty Senate endorsed Conflict of Interest Policy of January 19, 1990, consistent with the new Federal requirements mandated by the National Science Foundation Financial Disclosure Policy (effective date 28 June 1995), the Public Health Service proposal (expected to be finalized early this year [1995]), and those of the Federal Food and Drug Administration which are forthcoming. Parts of the Implementation section derive from those already passed by the individual Schools, but which have never been implemented.

2022, September 28, 10:21 AM

Investigator Significant Financial Interest Disclosure Policy

(Applicable to Federally Funded Sponsored Project Proposals)

What is required?

Federal regulations require institutions to have policies and procedures in place that ensure that investigators disclose any significant financial interest that may present an actual or potential conflict of interest in relationship to externally sponsored projects. Such disclosures must be made **prior to the submission of a proposal** for funding,* and institutions must develop specific mechanisms by which conflicts of interest will be satisfactorily managed, reduced, or eliminated prior to award or acceptance of an award.

* If a new reportable significant conflict of interest arises at any time during the period after the submission of the proposal through the period of the award, the filing of a disclosure is also required.

Who is covered?

"Investigator" means the principal investigator/project director, co-principal investigators, and any other person at the University who is responsible for the design, conduct, or reporting of research or educational activities funded, or proposed for funding, by an external sponsor. In this context, the term Investigator includes the "Investigator's" spouse and dependent children.

What must be disclosed?

Each Investigator shall disclose all *significant financial interests*:

- (i) that would reasonably appear to be directly and significantly affected by the research or educational activities funded, or proposed for funding, by an external sponsor; or
- (ii) in entities whose financial interests would reasonably appear to be directly and significantly affected by such activities.

What is covered?

"Significant financial interests" means anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights). The term **does not include**:

- (1) Salary, royalties, or other remuneration from Institution;
- (2) Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- (3) Income from service on advisory committees or review panels for public or non profit entities;
- (4) Financial interests in business enterprises or entities if the value of such interests does not exceed \$5,000 (or \$5,000 per annum if such interests represent salary, fees or other continuing payments) or represent more than 5% ownership interest for any one enterprise or entity when aggregated for the investigator and the investigator's spouse and dependent children.

Disclosure Procedures:

- (1) All investigators must disclose their significant financial interests utilizing this form and attaching all required supporting documentation. The completed form and packet must be submitted with the proposal and Institution's Standard Routing Sheet to the appropriate Office of Sponsored Programs. Supporting documentation should be submitted in a sealed envelope marked *confidential*.
- (2) In accordance with Federal regulations, a complete disclosure must be made by Investigator(s) *prior to submission of the proposal*.
- (3) Resolutions to conflicts of interest will be incorporated in a Memorandum of Understanding (MOU) that is executed between the Investigator(s) and the Dean/Director prior to award or award acceptance.

1. General Statement of Purpose

The purpose of this study is to determine the effect of the proposed changes on the overall performance of the system. The study will be conducted in a systematic and objective manner, using a variety of data sources and analytical techniques.

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Significant Financial Interest Disclosure
(Applicable to Federally Funded Sponsored Project Proposals)

Faculty/Staff Name _____

Department/Unit _____

College/Unit _____

Proposal Submitted to _____

I am disclosing the following significant financial interests (check one) and attaching supporting documentation (in an envelope marked confidential) that identifies the business enterprise or entity involved and the nature and amount of the interest:

("Significant financial interests" are defined on page 1.)

- _____ Salary or other payment for services (e.g., consulting fees or honoraria).
- _____ Equity interests (e.g., stocks, stock options, or other ownership interests).
- _____ Intellectual property rights (e.g., patents, copyrights, and royalties from such rights).
- _____ Other significant financial interest of the Investigator that possibly could affect or be perceived to affect the results of the research or educational activities funded or proposed for funding.

I have no significant financial interests to disclose: _____
Initials

Further I agree:

- * To update this disclosure during the pendency of the award, either on an annual basis, or as new reportable significant financial interests are obtained.
- * To cooperate in the development of a Memorandum of Understanding (MOU) that constitutes a conflict of interest "resolution plan."
- * To comply with any conditions or restrictions imposed by the University to manage, reduce, or eliminate actual or potential conflicts of interest or forfeit the award.

Signed: _____ Date: _____

(Original signature only—a "per" signature is not acceptable.)

Endorsements:

I have reviewed the significant financial interest disclosure and believe that it will be possible to develop and execute, prior to award, an MOU to manage, reduce, or eliminate any actual or potential conflict of interest; and, therefore, I recommend that the proposal be submitted to the agency at this time.

Department/Unit Head: _____

Signed

_____ Date

College Dean/Director: _____

Signed

_____ Date

